

1 A bill to be entitled
2 An act relating to nursing; amending s. 464.003, F.S.;
3 defining the term "advanced practice registered
4 nurse"; deleting the terms "advanced registered nurse
5 practitioner" and "clinical nurse specialist," to
6 conform to changes made by the act; repealing s.
7 464.0115, F.S., relating to the certification of
8 clinical nurse specialists; amending s. 464.012, F.S.;
9 requiring any nurse desiring to be licensed as an
10 advanced practice registered nurse to apply to the
11 Department of Health, submit proof that he or she
12 holds a current license to practice professional
13 nursing, and meet one or more specified requirements
14 as determined by the Board of Nursing; authorizing the
15 board to adopt rules to provide for provisional state
16 licensure of graduate registered nurse anesthetists,
17 clinical nurse specialists, certified nurse
18 practitioners, and certified nurse midwives for a
19 specified period of time; conforming provisions to
20 changes made by the act; amending s. 960.28, F.S.;
21 conforming a cross-reference; amending ss. 39.303,
22 39.304, 90.503, 110.12315, 121.0515, 252.515, 310.071,
23 310.073, 310.081, 320.0848, 381.00315, 381.00593,
24 383.14, 383.141, 390.0111, 390.012, 394.455, 395.0191,
25 397.311, 397.4012, 397.427, 397.679, 397.6793,

26 | 400.021, 400.462, 400.487, 400.506, 400.9973,
 27 | 400.9974, 400.9976, 400.9979, 401.445, 409.905,
 28 | 409.908, 409.973, 429.918, 456.0391, 456.0392,
 29 | 456.041, 456.048, 456.072, 456.44, 458.3265, 458.331,
 30 | 458.348, 459.0137, 459.015, 459.025, 464.003, 464.004,
 31 | 464.013, 464.015, 464.016, 464.018, 464.0205, 467.003,
 32 | 480.0475, 483.041, 483.801, 486.021, 490.012,
 33 | 491.0057, 491.012, 493.6108, 627.357, 627.6471,
 34 | 627.6472, 627.736, 633.412, 641.3923, 766.103,
 35 | 766.1115, 766.1116, 794.08, 893.02, 893.05, 943.13,
 36 | 948.03, 1002.20, 1002.42, 1006.062, 1009.65, 1009.66,
 37 | 1009.67, F.S.; conforming provisions to changes made
 38 | by the act; providing effective dates.

39 |

40 | Be It Enacted by the Legislature of the State of Florida:

41 |

42 | Section 1. Subsections (3) and (6) of section 464.003,
 43 | Florida Statutes are amended, and subsections (7) through (23)
 44 | are redesignated as subsections (6) through (22), respectively,
 45 | to read:

46 | 464.003 Definitions.—As used in this part, the term:

47 | (3) "Advanced practice registered nurse" ~~"Advanced~~
 48 | ~~registered nurse practitioner"~~ means any person licensed in this
 49 | state to practice professional nursing and licensed ~~certified~~ in
 50 | advanced ~~or specialized~~ nursing practice, including certified

51 registered nurse anesthetists, certified nurse midwives,
 52 clinical nurse specialists, and certified nurse practitioners.

53 ~~(6) "Clinical nurse specialist" means any person licensed~~
 54 ~~in this state to practice professional nursing and certified in~~
 55 ~~clinical nurse specialist practice.~~

56 Section 2. Section 464.0115, Florida Statutes, is
 57 repealed.

58 Section 3. Section 464.012, Florida Statutes, is amended
 59 to read:

60 464.012 Licensure ~~Certification~~ of advanced practice
 61 registered nurses ~~advanced registered nurse practitioners~~; fees;
 62 controlled substance prescribing.-

63 (1) Any nurse desiring to be licensed ~~certified~~ as an
 64 advanced practice registered nurse ~~must advanced registered~~
 65 ~~nurse practitioner~~ shall apply to the department and submit
 66 proof that he or she holds a current license to practice
 67 professional nursing and that he or she meets one or more of the
 68 following requirements as determined by the board:

69 (a) Completion of a postbasic educational program.
 70 Satisfactory completion of a formal postbasic educational
 71 program of at least 1 academic year, the primary purpose of
 72 which is to prepare nurses for advanced or specialized practice.

73 (b) Certification by an appropriate specialty board. Such
 74 certification shall be required for initial state licensure
 75 ~~certification~~ and any licensure renewal ~~recertification~~ as a

76 certified registered nurse anesthetist, psychiatric nurse,
 77 certified nurse practitioner, clinical nurse specialist, or
 78 certified nurse midwife. The board may by rule provide for
 79 provisional state licensure ~~certification~~ of graduate registered
 80 nurse anesthetists, clinical nurse specialists, certified nurse
 81 practitioners ~~psychiatric nurses~~, and certified nurse midwives
 82 for a period of time determined to be appropriate for preparing
 83 for and passing the national certification examination.

84 (c) ~~(b)~~ Graduation from a program leading to a master's
 85 degree in a nursing clinical specialty area with preparation in
 86 specialized practitioner skills. For applicants graduating on or
 87 after October 1, 1998, graduation from a master's degree program
 88 is ~~shall be~~ required for initial licensure ~~certification~~ as a
 89 certified nurse practitioner under paragraph (4) (c). For
 90 applicants graduating on or after October 1, 2001, graduation
 91 from a master's degree program is ~~shall be~~ required for initial
 92 licensure ~~certification~~ as a certified registered nurse
 93 anesthetist under paragraph (4) (a). For applicants graduating on
 94 or after October 1, 1998, graduation from a master's degree
 95 program is required for the initial licensure of a certified
 96 nurse midwife or clinical nurse specialist as an advanced
 97 practice registered nurse.

98 (2) The board shall provide by rule the appropriate
 99 requirements for advanced practice registered nurses ~~advanced~~
 100 ~~registered nurse practitioners~~ in the categories of certified

101 registered nurse anesthetist, certified nurse midwife, and nurse
102 practitioner.

103 (3) An advanced practice registered nurse ~~advanced~~
104 ~~registered nurse practitioner~~ shall perform those functions
105 authorized in this section within the framework of an
106 established protocol, which must be maintained on site at the
107 location or locations at which an advanced practice registered
108 nurse ~~advanced registered nurse practitioner~~ practices. In the
109 case of multiple supervising physicians in the same group, an
110 advanced practice registered nurse ~~advanced registered nurse~~
111 ~~practitioner~~ must enter into a supervisory protocol with at
112 least one physician within the physician group practice. A
113 practitioner currently licensed under chapter 458, chapter 459,
114 or chapter 466 shall maintain supervision for directing the
115 specific course of medical treatment. Within the established
116 framework, an advanced practice registered nurse ~~advanced~~
117 ~~registered nurse practitioner~~ may:

118 (a) Prescribe, dispense, administer, or order any drug;
119 however, an advanced practice registered nurse ~~advanced~~
120 ~~registered nurse practitioner~~ may prescribe or dispense a
121 controlled substance as defined in s. 893.03 only if the
122 advanced practice registered nurse ~~advanced registered nurse~~
123 ~~practitioner~~ has graduated from a program leading to a master's
124 or doctoral degree in a clinical nursing specialty area with
125 training in specialized practitioner skills.

126 (b) Initiate appropriate therapies for certain conditions.

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

129 (d) Order diagnostic tests and physical and occupational
 130 therapy.

131 (e) Order any medication for administration to a patient
 132 in a facility licensed under chapter 395 or part II of chapter
 133 400, notwithstanding any provisions in chapter 465 or chapter
 134 893.

135 (4) In addition to the general functions specified in
 136 subsection (3), an advanced practice registered nurse ~~advanced~~
 137 ~~registered nurse practitioner~~ may perform the following acts
 138 within his or her specialty:

139 (a) The certified registered nurse anesthetist may, to the
 140 extent authorized by established protocol approved by the
 141 medical staff of the facility in which the anesthetic service is
 142 performed, perform any or all of the following:

143 1. Determine the health status of the patient as it
 144 relates to the risk factors and to the anesthetic management of
 145 the patient through the performance of the general functions.

146 2. Based on history, physical assessment, and supplemental
 147 laboratory results, determine, with the consent of the
 148 responsible physician, the appropriate type of anesthesia within
 149 the framework of the protocol.

150 3. Order under the protocol preanesthetic medication.

151 4. Perform under the protocol procedures commonly used to
152 render the patient insensible to pain during the performance of
153 surgical, obstetrical, therapeutic, or diagnostic clinical
154 procedures. These procedures include ordering and administering
155 regional, spinal, and general anesthesia; inhalation agents and
156 techniques; intravenous agents and techniques; and techniques of
157 hypnosis.

158 5. Order or perform monitoring procedures indicated as
159 pertinent to the anesthetic health care management of the
160 patient.

161 6. Support life functions during anesthesia health care,
162 including induction and intubation procedures, the use of
163 appropriate mechanical supportive devices, and the management of
164 fluid, electrolyte, and blood component balances.

165 7. Recognize and take appropriate corrective action for
166 abnormal patient responses to anesthesia, adjunctive medication,
167 or other forms of therapy.

168 8. Recognize and treat a cardiac arrhythmia while the
169 patient is under anesthetic care.

170 9. Participate in management of the patient while in the
171 postanesthesia recovery area, including ordering the
172 administration of fluids and drugs.

173 10. Place special peripheral and central venous and
174 arterial lines for blood sampling and monitoring as appropriate.

175 (b) The certified nurse midwife may, to the extent

176 authorized by an established protocol which has been approved by
177 the medical staff of the health care facility in which the
178 midwifery services are performed, or approved by the nurse
179 midwife's physician backup when the delivery is performed in a
180 patient's home, perform any or all of the following:

- 181 1. Perform superficial minor surgical procedures.
- 182 2. Manage the patient during labor and delivery to include
183 amniotomy, episiotomy, and repair.
- 184 3. Order, initiate, and perform appropriate anesthetic
185 procedures.
- 186 4. Perform postpartum examination.
- 187 5. Order appropriate medications.
- 188 6. Provide family-planning services and well-woman care.
- 189 7. Manage the medical care of the normal obstetrical
190 patient and the initial care of a newborn patient.

191 (c) The certified nurse practitioner may perform any or
192 all of the following acts within the framework of established
193 protocol:

- 194 1. Manage selected medical problems.
- 195 2. Order physical and occupational therapy.
- 196 3. Initiate, monitor, or alter therapies for certain
197 uncomplicated acute illnesses.
- 198 4. Monitor and manage patients with stable chronic
199 diseases.
- 200 5. Establish behavioral problems and diagnosis and make

201 treatment recommendations.

202 (5) A psychiatric nurse, as defined in s. 394.455, within
203 the framework of an established protocol with a psychiatrist,
204 may prescribe psychotropic controlled substances for the
205 treatment of mental disorders.

206 (6) The board shall certify, and the department shall
207 issue a certificate to, any nurse meeting the qualifications in
208 this section. The board shall establish an application fee not
209 to exceed \$100 and a biennial renewal fee not to exceed \$50. The
210 board is authorized to adopt such other rules as are necessary
211 to implement the provisions of this section.

212 (7) (a) The board shall establish a committee to recommend
213 a formulary of controlled substances that an advanced practice
214 registered nurse ~~advanced registered nurse practitioner~~ may not
215 prescribe or may prescribe only for specific uses or in limited
216 quantities. The committee must consist of three advanced
217 practice registered nurses ~~advanced registered nurse~~
218 ~~practitioners~~ licensed under this section, recommended by the
219 board; three physicians licensed under chapter 458 or chapter
220 459 who have work experience with advanced practice registered
221 nurses ~~advanced registered nurse practitioners~~, recommended by
222 the Board of Medicine; and a pharmacist licensed under chapter
223 465 who is a doctor of pharmacy, recommended by the Board of
224 Pharmacy. The committee may recommend an evidence-based
225 formulary applicable to all advanced practice registered nurses

226 ~~advanced registered nurse practitioners~~ which is limited by
227 specialty certification, is limited to approved uses of
228 controlled substances, or is subject to other similar
229 restrictions the committee finds are necessary to protect the
230 health, safety, and welfare of the public. The formulary must
231 restrict the prescribing of psychiatric mental health controlled
232 substances for children younger than 18 years of age to advanced
233 practice registered nurses ~~advanced registered nurse~~
234 ~~practitioners~~ who also are psychiatric nurses as defined in s.
235 394.455. The formulary must also limit the prescribing of
236 Schedule II controlled substances as listed in s. 893.03 to a 7-
237 day supply, except that such restriction does not apply to
238 controlled substances that are psychiatric medications
239 prescribed by psychiatric nurses as defined in s. 394.455.

240 (b) The board shall adopt by rule the recommended
241 formulary and any revision to the formulary which it finds is
242 supported by evidence-based clinical findings presented by the
243 Board of Medicine, the Board of Osteopathic Medicine, or the
244 Board of Dentistry.

245 (c) The formulary required under this subsection does not
246 apply to a controlled substance that is dispensed for
247 administration pursuant to an order, including an order for
248 medication authorized by subparagraph (4)(a)3., subparagraph
249 (4)(a)4., or subparagraph (4)(a)9.

250 (d) The board shall adopt the committee's initial

251 recommendation no later than October 31, 2016.

252 (8) This section shall be known as "The Barbara Lumpkin
253 Prescribing Act."

254 Section 4. Effective December 31, 2018, or upon enactment
255 of the Nurse Licensure Compact into law by 26 states, whichever
256 occurs first, subsection (1) of section 464.012, Florida
257 Statutes, as amended by section 3 of chapter 2017-134, section 8
258 of chapter 2016-139, section 12 of chapter 2016-224, and section
259 7 of chapter 2016-231, Laws of Florida, is amended to read:

260 464.012 Licensure ~~Certification~~ of advanced practice
261 registered nurses ~~registered nurse practitioners~~; fees;
262 controlled substance prescribing.-

263 (1) Any nurse desiring to be licensed ~~certified~~ as an
264 advanced practice registered nurse ~~must advanced registered~~
265 ~~nurse practitioner~~ shall apply to the department and submit
266 proof that he or she holds a current license to practice
267 professional nursing or holds an active multistate license to
268 practice professional nursing pursuant to s. 464.0095, and that
269 he or she meets one or more of the following requirements as
270 determined by the board:

271 (a) Completion of a postbasic educational program.
272 Satisfactory completion of a formal postbasic educational
273 program of at least 1 academic year, the primary purpose of
274 which is to prepare nurses for advanced or specialized practice.

275 (b) Certification by an appropriate specialty board. Such

276 certification shall be required for initial state licensure
277 ~~certification~~ and any licensure renewal ~~recertification~~ as a
278 certified registered nurse anesthetist, psychiatric nurse,
279 clinical nurse specialist, certified nurse practitioner or
280 certified nurse midwife. The board shall ~~may~~ by rule provide for
281 provisional state licensure ~~certification~~ of graduate registered
282 nurse anesthetists, clinical nurse specialist, certified nurse
283 practitioners ~~psychiatric nurses~~, and certified nurse midwives
284 for a period of time determined to be appropriate for preparing
285 for and passing the national certification examination.

286 (c) ~~(b)~~ Graduation from a program leading to a master's
287 degree in a nursing clinical specialty area with preparation in
288 specialized practitioner skills. For applicants graduating on or
289 after October 1, 1998, graduation from a master's degree program
290 is ~~shall be~~ required for initial licensure ~~certification~~ as a
291 certified nurse practitioner under paragraph (4) (c). For
292 applicants graduating on or after October 1, 2001, graduation
293 from a master's degree program is ~~shall be~~ required for initial
294 licensure ~~certification~~ as a certified registered nurse
295 anesthetist under paragraph (4) (a). For applicants graduating on
296 or after October 1, 1998, graduation from a master's degree
297 program is required for the initial licensure of a certified
298 nurse midwife or clinical nurse specialist as an advanced
299 practice registered nurse.

300 Section 5. Subsection (2) of section 960.28, Florida

301 Statutes, is amended to read:

302 960.28 Payment for victims' initial forensic physical
303 examinations.—

304 (2) The Crime Victims' Services Office of the department
305 shall pay for medical expenses connected with an initial
306 forensic physical examination of a victim of sexual battery as
307 defined in chapter 794 or a lewd or lascivious offense as
308 defined in chapter 800. Such payment shall be made regardless of
309 whether the victim is covered by health or disability insurance
310 and whether the victim participates in the criminal justice
311 system or cooperates with law enforcement. The payment shall be
312 made only out of moneys allocated to the Crime Victims' Services
313 Office for the purposes of this section, and the payment may not
314 exceed \$500 with respect to any violation. The department shall
315 develop and maintain separate protocols for the initial forensic
316 physical examination of adults and children. Payment under this
317 section is limited to medical expenses connected with the
318 initial forensic physical examination, and payment may be made
319 to a medical provider using an examiner qualified under part I
320 of chapter 464, excluding s. 464.003(15) ~~s. 464.003(16)~~; chapter
321 458; or chapter 459. Payment made to the medical provider by the
322 department shall be considered by the provider as payment in
323 full for the initial forensic physical examination associated
324 with the collection of evidence. The victim may not be required
325 to pay, directly or indirectly, the cost of an initial forensic

326 | physical examination performed in accordance with this section.

327 | Section 6. Paragraph (c) of subsection (5) and paragraph
328 | (a) of subsection (6) of section 39.303, Florida Statutes, are
329 | amended to read:

330 | 39.303 Child protection teams and sexual abuse treatment
331 | programs; services; eligible cases.—

332 | (5) All abuse and neglect cases transmitted for
333 | investigation to a circuit by the hotline must be simultaneously
334 | transmitted to the child protection team for review. For the
335 | purpose of determining whether a face-to-face medical evaluation
336 | by a child protection team is necessary, all cases transmitted
337 | to the child protection team which meet the criteria in
338 | subsection (4) must be timely reviewed by:

339 | (c) An advanced practice registered nurse ~~advanced~~
340 | ~~registered nurse practitioner~~ licensed under chapter 464 who has
341 | a specialty in pediatrics or family medicine and is a member of
342 | a child protection team;

343 | (6) A face-to-face medical evaluation by a child
344 | protection team is not necessary when:

345 | (a) The child was examined for the alleged abuse or
346 | neglect by a physician who is not a member of the child
347 | protection team, and a consultation between the child protection
348 | team medical director or a child protection team board-certified
349 | pediatrician, advanced practice registered nurse ~~advanced~~
350 | ~~registered nurse practitioner~~, physician assistant working under

351 the supervision of a child protection team medical director or a
352 child protection team board-certified pediatrician, or
353 registered nurse working under the direct supervision of a child
354 protection team medical director or a child protection team
355 board-certified pediatrician, and the examining physician
356 concludes that a further medical evaluation is unnecessary;

357

358 Notwithstanding paragraphs (a), (b), and (c), a child protection
359 team medical director or a child protection team pediatrician,
360 as authorized in subsection (5), may determine that a face-to-
361 face medical evaluation is necessary.

362 Section 7. Paragraph (b) of subsection (1) of section
363 39.304, Florida Statutes, is amended to read:

364 39.304 Photographs, medical examinations, X rays, and
365 medical treatment of abused, abandoned, or neglected child.—

366 (1)

367 (b) If the areas of trauma visible on a child indicate a
368 need for a medical examination, or if the child verbally
369 complains or otherwise exhibits distress as a result of injury
370 through suspected child abuse, abandonment, or neglect, or is
371 alleged to have been sexually abused, the person required to
372 investigate may cause the child to be referred for diagnosis to
373 a licensed physician or an emergency department in a hospital
374 without the consent of the child's parents or legal custodian.
375 Such examination may be performed by any licensed physician or

376 | an advanced practice registered nurse ~~advanced registered nurse~~
 377 | ~~practitioner~~ licensed pursuant to part I of chapter 464. Any
 378 | licensed physician~~,~~ or advanced practice registered nurse
 379 | ~~advanced registered nurse practitioner~~ licensed pursuant to part
 380 | I of chapter 464~~,~~ who has reasonable cause to suspect that an
 381 | injury was the result of child abuse, abandonment, or neglect
 382 | may authorize a radiological examination to be performed on the
 383 | child without the consent of the child's parent or legal
 384 | custodian.

385 | Section 8. Paragraph (a) of subsection (1) of section
 386 | 90.503, Florida Statutes, is amended to read:

387 | 90.503 Psychotherapist-patient privilege.—

388 | (1) For purposes of this section:

389 | (a) A "psychotherapist" is:

390 | 1. A person authorized to practice medicine in any state
 391 | or nation, or reasonably believed by the patient so to be, who
 392 | is engaged in the diagnosis or treatment of a mental or
 393 | emotional condition, including alcoholism and other drug
 394 | addiction;

395 | 2. A person licensed or certified as a psychologist under
 396 | the laws of any state or nation, who is engaged primarily in the
 397 | diagnosis or treatment of a mental or emotional condition,
 398 | including alcoholism and other drug addiction;

399 | 3. A person licensed or certified as a clinical social
 400 | worker, marriage and family therapist, or mental health

401 counselor under the laws of this state, who is engaged primarily
402 in the diagnosis or treatment of a mental or emotional
403 condition, including alcoholism and other drug addiction;

404 4. Treatment personnel of facilities licensed by the state
405 pursuant to chapter 394, chapter 395, or chapter 397, of
406 facilities designated by the Department of Children and Families
407 pursuant to chapter 394 as treatment facilities, or of
408 facilities defined as community mental health centers pursuant
409 to s. 394.907(1), who are engaged primarily in the diagnosis or
410 treatment of a mental or emotional condition, including
411 alcoholism and other drug addiction; or

412 5. An advanced practice registered nurse ~~advanced~~
413 ~~registered nurse practitioner~~ certified under s. 464.012, whose
414 primary scope of practice is the diagnosis or treatment of
415 mental or emotional conditions, including chemical abuse, and
416 limited only to actions performed in accordance with part I of
417 chapter 464.

418 Section 9. Paragraph (d) of subsection (2) of section
419 110.12315, Florida Statutes, is amended to read:

420 110.12315 Prescription drug program.—The state employees'
421 prescription drug program is established. This program shall be
422 administered by the Department of Management Services, according
423 to the terms and conditions of the plan as established by the
424 relevant provisions of the annual General Appropriations Act and
425 implementing legislation, subject to the following conditions:

426 (2) In providing for reimbursement of pharmacies for
427 prescription drugs and supplies dispensed to members of the
428 state group health insurance plan and their dependents under the
429 state employees' prescription drug program:

430 (d) The department shall establish the reimbursement
431 schedule for prescription drugs and supplies dispensed under the
432 program. Reimbursement rates for a prescription drug or supply
433 must be based on the cost of the generic equivalent drug or
434 supply if a generic equivalent exists, unless the physician,
435 advanced practice registered nurse ~~advanced registered nurse~~
436 ~~practitioner~~, or physician assistant prescribing the drug or
437 supply clearly states on the prescription that the brand name
438 drug or supply is medically necessary or that the drug or supply
439 is included on the formulary of drugs and supplies that may not
440 be interchanged as provided in chapter 465, in which case
441 reimbursement must be based on the cost of the brand name drug
442 or supply as specified in the reimbursement schedule adopted by
443 the department.

444 Section 10. Paragraph (f) of subsection (3) of section
445 121.0515, Florida Statutes, is amended to read:

446 121.0515 Special Risk Class.—

447 (3) CRITERIA.—A member, to be designated as a special risk
448 member, must meet the following criteria:

449 (f) Effective January 1, 2001, the member must be employed
450 in one of the following classes and must spend at least 75

451 | percent of his or her time performing duties which involve
 452 | contact with patients or inmates in a correctional or forensic
 453 | facility or institution:

- 454 | 1. Dietitian (class codes 5203 and 5204);
- 455 | 2. Public health nutrition consultant (class code 5224);
- 456 | 3. Psychological specialist (class codes 5230 and 5231);
- 457 | 4. Psychologist (class code 5234);
- 458 | 5. Senior psychologist (class codes 5237 and 5238);
- 459 | 6. Regional mental health consultant (class code 5240);
- 460 | 7. Psychological Services Director—DCF (class code 5242);
- 461 | 8. Pharmacist (class codes 5245 and 5246);
- 462 | 9. Senior pharmacist (class codes 5248 and 5249);
- 463 | 10. Dentist (class code 5266);
- 464 | 11. Senior dentist (class code 5269);
- 465 | 12. Registered nurse (class codes 5290 and 5291);
- 466 | 13. Senior registered nurse (class codes 5292 and 5293);
- 467 | 14. Registered nurse specialist (class codes 5294 and
 468 | 5295);
- 469 | 15. Clinical associate (class codes 5298 and 5299);
- 470 | 16. Advanced practice registered nurse ~~Advanced registered~~
 471 | ~~nurse practitioner~~ (class codes 5297 and 5300);
- 472 | 17. Advanced practice registered nurse ~~Advanced registered~~
 473 | ~~nurse practitioner~~ specialist (class codes 5304 and 5305);
- 474 | 18. Registered nurse supervisor (class codes 5306 and
 475 | 5307);

476 19. Senior registered nurse supervisor (class codes 5308
477 and 5309);

478 20. Registered nursing consultant (class codes 5312 and
479 5313);

480 21. Quality management program supervisor (class code
481 5314);

482 22. Executive nursing director (class codes 5320 and
483 5321);

484 23. Speech and hearing therapist (class code 5406); or

485 24. Pharmacy manager (class code 5251);

486 Section 11. Paragraph (a) of subsection (3) of section
487 252.515, Florida Statutes, is amended to read:

488 252.515 Postdisaster Relief Assistance Act; immunity from
489 civil liability.—

490 (3) As used in this section, the term:

491 (a) "Emergency first responder" means:

492 1. A physician licensed under chapter 458.

493 2. An osteopathic physician licensed under chapter 459.

494 3. A chiropractic physician licensed under chapter 460.

495 4. A podiatric physician licensed under chapter 461.

496 5. A dentist licensed under chapter 466.

497 6. An advanced practice registered nurse ~~advanced~~
498 ~~registered nurse practitioner~~ certified under s. 464.012.

499 7. A physician assistant licensed under s. 458.347 or s.
500 459.022.

501 8. A worker employed by a public or private hospital in
502 the state.

503 9. A paramedic as defined in s. 401.23(17).

504 10. An emergency medical technician as defined in s.
505 401.23(11).

506 11. A firefighter as defined in s. 633.102.

507 12. A law enforcement officer as defined in s. 943.10.

508 13. A member of the Florida National Guard.

509 14. Any other personnel designated as emergency personnel
510 by the Governor pursuant to a declared emergency.

511 Section 12. Paragraph (c) of subsection (1) of section
512 310.071, Florida Statutes, is amended to read:

513 310.071 Deputy pilot certification.—

514 (1) In addition to meeting other requirements specified in
515 this chapter, each applicant for certification as a deputy pilot
516 must:

517 (c) Be in good physical and mental health, as evidenced by
518 documentary proof of having satisfactorily passed a complete
519 physical examination administered by a licensed physician within
520 the preceding 6 months. The board shall adopt rules to establish
521 requirements for passing the physical examination, which rules
522 shall establish minimum standards for the physical or mental
523 capabilities necessary to carry out the professional duties of a
524 certificated deputy pilot. Such standards shall include zero
525 tolerance for any controlled substance regulated under chapter

526 | 893 unless that individual is under the care of a physician, an
 527 | advanced practice registered nurse ~~advanced registered nurse~~
 528 | ~~practitioner~~, or a physician assistant and that controlled
 529 | substance was prescribed by that physician, advanced practice
 530 | registered nurse ~~advanced registered nurse practitioner~~, or
 531 | physician assistant. To maintain eligibility as a certificated
 532 | deputy pilot, each certificated deputy pilot must annually
 533 | provide documentary proof of having satisfactorily passed a
 534 | complete physical examination administered by a licensed
 535 | physician. The physician must know the minimum standards and
 536 | certify that the certificateholder satisfactorily meets the
 537 | standards. The standards for certificateholders shall include a
 538 | drug test.

539 | Section 13. Subsection (3) of section 310.073, Florida
 540 | Statutes, is amended to read:

541 | 310.073 State pilot licensing.—In addition to meeting
 542 | other requirements specified in this chapter, each applicant for
 543 | license as a state pilot must:

544 | (3) Be in good physical and mental health, as evidenced by
 545 | documentary proof of having satisfactorily passed a complete
 546 | physical examination administered by a licensed physician within
 547 | the preceding 6 months. The board shall adopt rules to establish
 548 | requirements for passing the physical examination, which rules
 549 | shall establish minimum standards for the physical or mental
 550 | capabilities necessary to carry out the professional duties of a

551 licensed state pilot. Such standards shall include zero
 552 tolerance for any controlled substance regulated under chapter
 553 893 unless that individual is under the care of a physician, an
 554 advanced practice registered nurse ~~advanced registered nurse~~
 555 ~~practitioner~~, or a physician assistant and that controlled
 556 substance was prescribed by that physician, advanced practice
 557 registered nurse ~~advanced registered nurse practitioner~~, or
 558 physician assistant. To maintain eligibility as a licensed state
 559 pilot, each licensed state pilot must annually provide
 560 documentary proof of having satisfactorily passed a complete
 561 physical examination administered by a licensed physician. The
 562 physician must know the minimum standards and certify that the
 563 licensee satisfactorily meets the standards. The standards for
 564 licensees shall include a drug test.

565 Section 14. Paragraph (b) of subsection (3) of section
 566 310.081, Florida Statutes, is amended to read:

567 310.081 Department to examine and license state pilots and
 568 certificate deputy pilots; vacancies.-

569 (3) Pilots shall hold their licenses or certificates
 570 pursuant to the requirements of this chapter so long as they:

571 (b) Are in good physical and mental health as evidenced by
 572 documentary proof of having satisfactorily passed a physical
 573 examination administered by a licensed physician or physician
 574 assistant within each calendar year. The board shall adopt rules
 575 to establish requirements for passing the physical examination,

576 | which rules shall establish minimum standards for the physical
577 | or mental capabilities necessary to carry out the professional
578 | duties of a licensed state pilot or a certificated deputy pilot.
579 | Such standards shall include zero tolerance for any controlled
580 | substance regulated under chapter 893 unless that individual is
581 | under the care of a physician, an advanced practice registered
582 | nurse ~~advanced registered nurse practitioner~~, or a physician
583 | assistant and that controlled substance was prescribed by that
584 | physician, advanced practice registered nurse ~~advanced~~
585 | ~~registered nurse practitioner~~, or physician assistant. To
586 | maintain eligibility as a certificated deputy pilot or licensed
587 | state pilot, each certificated deputy pilot or licensed state
588 | pilot must annually provide documentary proof of having
589 | satisfactorily passed a complete physical examination
590 | administered by a licensed physician. The physician must know
591 | the minimum standards and certify that the certificateholder or
592 | licensee satisfactorily meets the standards. The standards for
593 | certificateholders and for licensees shall include a drug test.

594 |
595 | Upon resignation or in the case of disability permanently
596 | affecting a pilot's ability to serve, the state license or
597 | certificate issued under this chapter shall be revoked by the
598 | department.

599 | Section 15. Paragraph (b) of subsection (1) of section
600 | 320.0848, Florida Statutes, is amended to read:

601 320.0848 Persons who have disabilities; issuance of
602 disabled parking permits; temporary permits; permits for certain
603 providers of transportation services to persons who have
604 disabilities.—

605 (1)

606 (b)1. The person must be currently certified as being
607 legally blind or as having any of the following disabilities
608 that render him or her unable to walk 200 feet without stopping
609 to rest:

610 a. Inability to walk without the use of or assistance from
611 a brace, cane, crutch, prosthetic device, or other assistive
612 device, or without the assistance of another person. If the
613 assistive device significantly restores the person's ability to
614 walk to the extent that the person can walk without severe
615 limitation, the person is not eligible for the exemption parking
616 permit.

617 b. The need to permanently use a wheelchair.

618 c. Restriction by lung disease to the extent that the
619 person's forced (respiratory) expiratory volume for 1 second,
620 when measured by spirometry, is less than 1 liter, or the
621 person's arterial oxygen is less than 60 mm/hg on room air at
622 rest.

623 d. Use of portable oxygen.

624 e. Restriction by cardiac condition to the extent that the
625 person's functional limitations are classified in severity as

626 Class III or Class IV according to standards set by the American
 627 Heart Association.

628 f. Severe limitation in the person's ability to walk due
 629 to an arthritic, neurological, or orthopedic condition.

630 2. The certification of disability which is required under
 631 subparagraph 1. must be provided by a physician licensed under
 632 chapter 458, chapter 459, or chapter 460, by a podiatric
 633 physician licensed under chapter 461, by an optometrist licensed
 634 under chapter 463, by an advanced practice registered nurse
 635 ~~advanced registered nurse practitioner~~ licensed under chapter
 636 464 under the protocol of a licensed physician as stated in this
 637 subparagraph, by a physician assistant licensed under chapter
 638 458 or chapter 459, or by a similarly licensed physician from
 639 another state if the application is accompanied by documentation
 640 of the physician's licensure in the other state and a form
 641 signed by the out-of-state physician verifying his or her
 642 knowledge of this state's eligibility guidelines.

643 Section 16. Paragraph (c) of subsection (1) of section
 644 381.00315, Florida Statutes, is amended to read:

645 381.00315 Public health advisories; public health
 646 emergencies; isolation and quarantines.—The State Health Officer
 647 is responsible for declaring public health emergencies, issuing
 648 public health advisories, and ordering isolation or quarantines.

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

650 (c) "Public health emergency" means any occurrence, or

651 threat thereof, whether natural or manmade, which results or may
652 result in substantial injury or harm to the public health from
653 infectious disease, chemical agents, nuclear agents, biological
654 toxins, or situations involving mass casualties or natural
655 disasters. Before declaring a public health emergency, the State
656 Health Officer shall, to the extent possible, consult with the
657 Governor and shall notify the Chief of Domestic Security. The
658 declaration of a public health emergency shall continue until
659 the State Health Officer finds that the threat or danger has
660 been dealt with to the extent that the emergency conditions no
661 longer exist and he or she terminates the declaration. However,
662 a declaration of a public health emergency may not continue for
663 longer than 60 days unless the Governor concurs in the renewal
664 of the declaration. The State Health Officer, upon declaration
665 of a public health emergency, may take actions that are
666 necessary to protect the public health. Such actions include,
667 but are not limited to:

668 1. Directing manufacturers of prescription drugs or over-
669 the-counter drugs who are permitted under chapter 499 and
670 wholesalers of prescription drugs located in this state who are
671 permitted under chapter 499 to give priority to the shipping of
672 specified drugs to pharmacies and health care providers within
673 geographic areas that have been identified by the State Health
674 Officer. The State Health Officer must identify the drugs to be
675 shipped. Manufacturers and wholesalers located in the state must

676 | respond to the State Health Officer's priority shipping
677 | directive before shipping the specified drugs.

678 | 2. Notwithstanding chapters 465 and 499 and rules adopted
679 | thereunder, directing pharmacists employed by the department to
680 | compound bulk prescription drugs and provide these bulk
681 | prescription drugs to physicians and nurses of county health
682 | departments or any qualified person authorized by the State
683 | Health Officer for administration to persons as part of a
684 | prophylactic or treatment regimen.

685 | 3. Notwithstanding s. 456.036, temporarily reactivating
686 | the inactive license of the following health care practitioners,
687 | when such practitioners are needed to respond to the public
688 | health emergency: physicians licensed under chapter 458 or
689 | chapter 459; physician assistants licensed under chapter 458 or
690 | chapter 459; licensed practical nurses, registered nurses, and
691 | advanced practice registered nurses ~~advanced registered nurse~~
692 | ~~practitioners~~ licensed under part I of chapter 464; respiratory
693 | therapists licensed under part V of chapter 468; and emergency
694 | medical technicians and paramedics certified under part III of
695 | chapter 401. Only those health care practitioners specified in
696 | this paragraph who possess an unencumbered inactive license and
697 | who request that such license be reactivated are eligible for
698 | reactivation. An inactive license that is reactivated under this
699 | paragraph shall return to inactive status when the public health
700 | emergency ends or before the end of the public health emergency

701 if the State Health Officer determines that the health care
702 practitioner is no longer needed to provide services during the
703 public health emergency. Such licenses may only be reactivated
704 for a period not to exceed 90 days without meeting the
705 requirements of s. 456.036 or chapter 401, as applicable.

706 4. Ordering an individual to be examined, tested,
707 vaccinated, treated, isolated, or quarantined for communicable
708 diseases that have significant morbidity or mortality and
709 present a severe danger to public health. Individuals who are
710 unable or unwilling to be examined, tested, vaccinated, or
711 treated for reasons of health, religion, or conscience may be
712 subjected to isolation or quarantine.

713 a. Examination, testing, vaccination, or treatment may be
714 performed by any qualified person authorized by the State Health
715 Officer.

716 b. If the individual poses a danger to the public health,
717 the State Health Officer may subject the individual to isolation
718 or quarantine. If there is no practical method to isolate or
719 quarantine the individual, the State Health Officer may use any
720 means necessary to vaccinate or treat the individual.

721
722 Any order of the State Health Officer given to effectuate this
723 paragraph shall be immediately enforceable by a law enforcement
724 officer under s. 381.0012.

725 Section 17. Subsection (3) of section 381.00593, Florida

726 Statutes, is amended to read:

727 381.00593 Public school volunteer health care practitioner
728 program.—

729 (3) For purposes of this section, the term "health care
730 practitioner" means a physician licensed under chapter 458; an
731 osteopathic physician licensed under chapter 459; a chiropractic
732 physician licensed under chapter 460; a podiatric physician
733 licensed under chapter 461; an optometrist licensed under
734 chapter 463; an advanced practice registered nurse ~~advanced~~
735 ~~registered nurse practitioner~~, registered nurse, or licensed
736 practical nurse licensed under part I of chapter 464; a
737 pharmacist licensed under chapter 465; a dentist or dental
738 hygienist licensed under chapter 466; a midwife licensed under
739 chapter 467; a speech-language pathologist or audiologist
740 licensed under part I of chapter 468; a dietitian/nutritionist
741 licensed under part X of chapter 468; or a physical therapist
742 licensed under chapter 486.

743 Section 18. Paragraph (c) of subsection (1) of section
744 383.14, Florida Statutes, is amended to read:

745 383.14 Screening for metabolic disorders, other hereditary
746 and congenital disorders, and environmental risk factors.—

747 (1) SCREENING REQUIREMENTS.—To help ensure access to the
748 maternal and child health care system, the Department of Health
749 shall promote the screening of all newborns born in Florida for
750 metabolic, hereditary, and congenital disorders known to result

751 in significant impairment of health or intellect, as screening
752 programs accepted by current medical practice become available
753 and practical in the judgment of the department. The department
754 shall also promote the identification and screening of all
755 newborns in this state and their families for environmental risk
756 factors such as low income, poor education, maternal and family
757 stress, emotional instability, substance abuse, and other high-
758 risk conditions associated with increased risk of infant
759 mortality and morbidity to provide early intervention,
760 remediation, and prevention services, including, but not limited
761 to, parent support and training programs, home visitation, and
762 case management. Identification, perinatal screening, and
763 intervention efforts shall begin prior to and immediately
764 following the birth of the child by the attending health care
765 provider. Such efforts shall be conducted in hospitals,
766 perinatal centers, county health departments, school health
767 programs that provide prenatal care, and birthing centers, and
768 reported to the Office of Vital Statistics.

769 (c) *Release of screening results.*—Notwithstanding any law
770 to the contrary, the State Public Health Laboratory may release,
771 directly or through the Children's Medical Services program, the
772 results of a newborn's hearing and metabolic tests or screenings
773 to the newborn's health care practitioner, the newborn's parent
774 or legal guardian, the newborn's personal representative, or a
775 person designated by the newborn's parent or legal guardian. As

776 used in this paragraph, the term "health care practitioner"
777 means a physician or physician assistant licensed under chapter
778 458; an osteopathic physician or physician assistant licensed
779 under chapter 459; an advanced practice registered nurse
780 ~~advanced registered nurse practitioner~~, registered nurse, or
781 licensed practical nurse licensed under part I of chapter 464; a
782 midwife licensed under chapter 467; a speech-language
783 pathologist or audiologist licensed under part I of chapter 468;
784 or a dietician or nutritionist licensed under part X of chapter
785 468.

786 Section 19. Paragraph (c) of subsection (1) of section
787 383.141, Florida Statutes, is amended to read:

788 383.141 Prenatally diagnosed conditions; patient to be
789 provided information; definitions; information clearinghouse;
790 advisory council.—

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

792 (c) "Health care provider" means a practitioner licensed
793 or registered under chapter 458 or chapter 459 or an advanced
794 practice registered nurse ~~advanced registered nurse practitioner~~
795 certified under chapter 464.

796 Section 20. Paragraph (a) of subsection (3) of section
797 390.0111, Florida Statutes, is amended to read:

798 390.0111 Termination of pregnancies.—

799 (3) CONSENTS REQUIRED.—A termination of pregnancy may not
800 be performed or induced except with the voluntary and informed

801 written consent of the pregnant woman or, in the case of a
802 mental incompetent, the voluntary and informed written consent
803 of her court-appointed guardian.

804 (a) Except in the case of a medical emergency, consent to
805 a termination of pregnancy is voluntary and informed only if:

806 1. The physician who is to perform the procedure, or the
807 referring physician, has, at a minimum, orally, while physically
808 present in the same room, and at least 24 hours before the
809 procedure, informed the woman of:

810 a. The nature and risks of undergoing or not undergoing
811 the proposed procedure that a reasonable patient would consider
812 material to making a knowing and willful decision of whether to
813 terminate a pregnancy.

814 b. The probable gestational age of the fetus, verified by
815 an ultrasound, at the time the termination of pregnancy is to be
816 performed.

817 (I) The ultrasound must be performed by the physician who
818 is to perform the abortion or by a person having documented
819 evidence that he or she has completed a course in the operation
820 of ultrasound equipment as prescribed by rule and who is working
821 in conjunction with the physician.

822 (II) The person performing the ultrasound must offer the
823 woman the opportunity to view the live ultrasound images and
824 hear an explanation of them. If the woman accepts the
825 opportunity to view the images and hear the explanation, a

826 | physician or a registered nurse, licensed practical nurse,
827 | advanced practice registered nurse ~~advanced registered nurse~~
828 | ~~practitioner~~, or physician assistant working in conjunction with
829 | the physician must contemporaneously review and explain the
830 | images to the woman before the woman gives informed consent to
831 | having an abortion procedure performed.

832 | (III) The woman has a right to decline to view and hear
833 | the explanation of the live ultrasound images after she is
834 | informed of her right and offered an opportunity to view the
835 | images and hear the explanation. If the woman declines, the
836 | woman shall complete a form acknowledging that she was offered
837 | an opportunity to view and hear the explanation of the images
838 | but that she declined that opportunity. The form must also
839 | indicate that the woman's decision was not based on any undue
840 | influence from any person to discourage her from viewing the
841 | images or hearing the explanation and that she declined of her
842 | own free will.

843 | (IV) Unless requested by the woman, the person performing
844 | the ultrasound may not offer the opportunity to view the images
845 | and hear the explanation and the explanation may not be given
846 | if, at the time the woman schedules or arrives for her
847 | appointment to obtain an abortion, a copy of a restraining
848 | order, police report, medical record, or other court order or
849 | documentation is presented which provides evidence that the
850 | woman is obtaining the abortion because the woman is a victim of

851 rape, incest, domestic violence, or human trafficking or that
852 the woman has been diagnosed as having a condition that, on the
853 basis of a physician's good faith clinical judgment, would
854 create a serious risk of substantial and irreversible impairment
855 of a major bodily function if the woman delayed terminating her
856 pregnancy.

857 c. The medical risks to the woman and fetus of carrying
858 the pregnancy to term.

859

860 The physician may provide the information required in this
861 subparagraph within 24 hours before the procedure if requested
862 by the woman at the time she schedules or arrives for her
863 appointment to obtain an abortion and if she presents to the
864 physician a copy of a restraining order, police report, medical
865 record, or other court order or documentation evidencing that
866 she is obtaining the abortion because she is a victim of rape,
867 incest, domestic violence, or human trafficking.

868 2. Printed materials prepared and provided by the
869 department have been provided to the pregnant woman, if she
870 chooses to view these materials, including:

871 a. A description of the fetus, including a description of
872 the various stages of development.

873 b. A list of entities that offer alternatives to
874 terminating the pregnancy.

875 c. Detailed information on the availability of medical

876 assistance benefits for prenatal care, childbirth, and neonatal
877 care.

878 3. The woman acknowledges in writing, before the
879 termination of pregnancy, that the information required to be
880 provided under this subsection has been provided.

881
882 Nothing in this paragraph is intended to prohibit a physician
883 from providing any additional information which the physician
884 deems material to the woman's informed decision to terminate her
885 pregnancy.

886 Section 21. Paragraphs (c), (e), and (f) of subsection (3)
887 of section 390.012, Florida Statutes, are amended to read:

888 390.012 Powers of agency; rules; disposal of fetal
889 remains.—

890 (3) For clinics that perform or claim to perform abortions
891 after the first trimester of pregnancy, the agency shall adopt
892 rules pursuant to ss. 120.536(1) and 120.54 to implement the
893 provisions of this chapter, including the following:

894 (c) Rules relating to abortion clinic personnel. At a
895 minimum, these rules shall require that:

896 1. The abortion clinic designate a medical director who is
897 licensed to practice medicine in this state, and all physicians
898 who perform abortions in the clinic have admitting privileges at
899 a hospital within reasonable proximity to the clinic, unless the
900 clinic has a written patient transfer agreement with a hospital

901 within reasonable proximity to the clinic which includes the
902 transfer of the patient's medical records held by both the
903 clinic and the treating physician.

904 2. If a physician is not present after an abortion is
905 performed, a registered nurse, licensed practical nurse,
906 advanced practice registered nurse ~~advanced registered nurse~~
907 ~~practitioner~~, or physician assistant be present and remain at
908 the clinic to provide postoperative monitoring and care until
909 the patient is discharged.

910 3. Surgical assistants receive training in counseling,
911 patient advocacy, and the specific responsibilities associated
912 with the services the surgical assistants provide.

913 4. Volunteers receive training in the specific
914 responsibilities associated with the services the volunteers
915 provide, including counseling and patient advocacy as provided
916 in the rules adopted by the director for different types of
917 volunteers based on their responsibilities.

918 (e) Rules relating to the abortion procedure. At a
919 minimum, these rules shall require:

920 1. That a physician, registered nurse, licensed practical
921 nurse, advanced practice registered nurse ~~advanced registered~~
922 ~~nurse practitioner~~, or physician assistant is available to all
923 patients throughout the abortion procedure.

924 2. Standards for the safe conduct of abortion procedures
925 that conform to obstetric standards in keeping with established

926 standards of care regarding the estimation of fetal age as
 927 defined in rule.

928 3. Appropriate use of general and local anesthesia,
 929 analgesia, and sedation if ordered by the physician.

930 4. Appropriate precautions, such as the establishment of
 931 intravenous access at least for patients undergoing post-first
 932 trimester abortions.

933 5. Appropriate monitoring of the vital signs and other
 934 defined signs and markers of the patient's status throughout the
 935 abortion procedure and during the recovery period until the
 936 patient's condition is deemed to be stable in the recovery room.

937 (f) Rules that prescribe minimum recovery room standards.
 938 At a minimum, these rules must require that:

939 1. Postprocedure recovery rooms be supervised and staffed
 940 to meet the patients' needs.

941 2. Immediate postprocedure care consist of observation in
 942 a supervised recovery room for as long as the patient's
 943 condition warrants.

944 3. A registered nurse, licensed practical nurse, advanced
 945 practice registered nurse ~~advanced registered nurse~~
 946 ~~practitioner~~, or physician assistant who is trained in the
 947 management of the recovery area and is capable of providing
 948 basic cardiopulmonary resuscitation and related emergency
 949 procedures remain on the premises of the abortion clinic until
 950 all patients are discharged.

951 4. A physician sign the discharge order and be readily
952 accessible and available until the last patient is discharged to
953 facilitate the transfer of emergency cases if hospitalization of
954 the patient or viable fetus is necessary.

955 5. A physician discuss Rho(D) immune globulin with each
956 patient for whom it is indicated and ensure that it is offered
957 to the patient in the immediate postoperative period or will be
958 available to her within 72 hours after completion of the
959 abortion procedure. If the patient refuses the Rho(D) immune
960 globulin, she and a witness must sign a refusal form approved by
961 the agency which must be included in the medical record.

962 6. Written instructions with regard to postabortion
963 coitus, signs of possible problems, and general aftercare which
964 are specific to the patient be given to each patient. The
965 instructions must include information regarding access to
966 medical care for complications, including a telephone number for
967 use in the event of a medical emergency.

968 7. A minimum length of time be specified, by type of
969 abortion procedure and duration of gestation, during which a
970 patient must remain in the recovery room.

971 8. The physician ensure that, with the patient's consent,
972 a registered nurse, licensed practical nurse, advanced practice
973 registered nurse ~~advanced registered nurse practitioner~~, or
974 physician assistant from the abortion clinic makes a good faith
975 effort to contact the patient by telephone within 24 hours after

976 surgery to assess the patient's recovery.

977 9. Equipment and services be readily accessible to provide
 978 appropriate emergency resuscitative and life support procedures
 979 pending the transfer of the patient or viable fetus to the
 980 hospital.

981 Section 22. Subsections (35) and (44) of section 394.455,
 982 Florida Statutes, are amended to read:

983 394.455 Definitions.—As used in this part, the term:

984 (35) "Psychiatric nurse" means an advanced practice
 985 registered nurse ~~advanced registered nurse practitioner~~
 986 certified under s. 464.012 who has a master's or doctoral degree
 987 in psychiatric nursing, holds a national advanced practice
 988 certification as a psychiatric mental health advanced practice
 989 nurse, and has 2 years of post-master's clinical experience
 990 under the supervision of a physician.

991 (44) "Service provider" means a receiving facility, a
 992 facility licensed under chapter 397, a treatment facility, an
 993 entity under contract with the department to provide mental
 994 health or substance abuse services, a community mental health
 995 center or clinic, a psychologist, a clinical social worker, a
 996 marriage and family therapist, a mental health counselor, a
 997 physician, a psychiatrist, an advanced practice registered nurse
 998 ~~advanced registered nurse practitioner~~, a psychiatric nurse, or
 999 a qualified professional as defined in s. 39.01.

1000 Section 23. Paragraphs (a) and (b) of subsection (2) and

1001 subsection (4) of section 395.0191, Florida Statutes, are
 1002 amended to read:

1003 395.0191 Staff membership and clinical privileges.—

1004 (2) (a) Each licensed facility shall establish rules and
 1005 procedures for consideration of an application for clinical
 1006 privileges submitted by an advanced practice registered nurse
 1007 ~~advanced registered nurse practitioner~~ licensed and certified
 1008 under part I of chapter 464, in accordance with the provisions
 1009 of this section. No licensed facility shall deny such
 1010 application solely because the applicant is licensed under part
 1011 I of chapter 464 or because the applicant is not a participant
 1012 in the Florida Birth-Related Neurological Injury Compensation
 1013 Plan.

1014 (b) An advanced practice registered nurse ~~advanced~~
 1015 ~~registered nurse practitioner~~ who is certified as a registered
 1016 nurse anesthetist licensed under part I of chapter 464 shall
 1017 administer anesthesia under the onsite medical direction of a
 1018 professional licensed under chapter 458, chapter 459, or chapter
 1019 466, and in accordance with an established protocol approved by
 1020 the medical staff. The medical direction shall specifically
 1021 address the needs of the individual patient.

1022 (4) Nothing herein shall restrict in any way the authority
 1023 of the medical staff of a licensed facility to review for
 1024 approval or disapproval all applications for appointment and
 1025 reappointment to all categories of staff and to make

1026 recommendations on each applicant to the governing board,
 1027 including the delineation of privileges to be granted in each
 1028 case. In making such recommendations and in the delineation of
 1029 privileges, each applicant shall be considered individually
 1030 pursuant to criteria for a doctor licensed under chapter 458,
 1031 chapter 459, chapter 461, or chapter 466, or for an advanced
 1032 practice registered nurse ~~advanced registered nurse practitioner~~
 1033 licensed and certified under part I of chapter 464, or for a
 1034 psychologist licensed under chapter 490, as applicable. The
 1035 applicant's eligibility for staff membership or clinical
 1036 privileges shall be determined by the applicant's background,
 1037 experience, health, training, and demonstrated competency; the
 1038 applicant's adherence to applicable professional ethics; the
 1039 applicant's reputation; and the applicant's ability to work with
 1040 others and by such other elements as determined by the governing
 1041 board, consistent with this part.

1042 Section 24. Subsection (34) of section 397.311, Florida
 1043 Statutes, is amended to read:

1044 397.311 Definitions.—As used in this chapter, except part
 1045 VIII, the term:

1046 (34) "Qualified professional" means a physician or a
 1047 physician assistant licensed under chapter 458 or chapter 459; a
 1048 professional licensed under chapter 490 or chapter 491; an
 1049 advanced practice registered nurse ~~advanced registered nurse~~
 1050 ~~practitioner~~ licensed under part I of chapter 464; or a person

1051 | who is certified through a department-recognized certification
1052 | process for substance abuse treatment services and who holds, at
1053 | a minimum, a bachelor's degree. A person who is certified in
1054 | substance abuse treatment services by a state-recognized
1055 | certification process in another state at the time of employment
1056 | with a licensed substance abuse provider in this state may
1057 | perform the functions of a qualified professional as defined in
1058 | this chapter but must meet certification requirements contained
1059 | in this subsection no later than 1 year after his or her date of
1060 | employment.

1061 | Section 25. Section 397.4012, Florida Statutes, is amended
1062 | to read:

1063 | 397.4012 Exemptions from licensure.—The following are
1064 | exempt from the licensing provisions of this chapter:

1065 | (1) A hospital or hospital-based component licensed under
1066 | chapter 395.

1067 | (2) A nursing home facility as defined in s. 400.021.

1068 | (3) A substance abuse education program established
1069 | pursuant to s. 1003.42.

1070 | (4) A facility or institution operated by the Federal
1071 | Government.

1072 | (5) A physician or physician assistant licensed under
1073 | chapter 458 or chapter 459.

1074 | (6) A psychologist licensed under chapter 490.

1075 | (7) A social worker, marriage and family therapist, or

1076 | mental health counselor licensed under chapter 491.

1077 | (8) A legally cognizable church or nonprofit religious
 1078 | organization or denomination providing substance abuse services,
 1079 | including prevention services, which are solely religious,
 1080 | spiritual, or ecclesiastical in nature. A church or nonprofit
 1081 | religious organization or denomination providing any of the
 1082 | licensed service components itemized under s. 397.311(26) is not
 1083 | exempt from substance abuse licensure but retains its exemption
 1084 | with respect to all services which are solely religious,
 1085 | spiritual, or ecclesiastical in nature.

1086 | (9) Facilities licensed under chapter 393 which, in
 1087 | addition to providing services to persons with developmental
 1088 | disabilities, also provide services to persons developmentally
 1089 | at risk as a consequence of exposure to alcohol or other legal
 1090 | or illegal drugs while in utero.

1091 | (10) DUI education and screening services provided
 1092 | pursuant to ss. 316.192, 316.193, 322.095, 322.271, and 322.291.
 1093 | Persons or entities providing treatment services must be
 1094 | licensed under this chapter unless exempted from licensing as
 1095 | provided in this section.

1096 | (11) A facility licensed under s. 394.875 as a crisis
 1097 | stabilization unit.

1098 |
 1099 | The exemptions from licensure in this section do not apply to
 1100 | any service provider that receives an appropriation, grant, or

1101 contract from the state to operate as a service provider as
1102 defined in this chapter or to any substance abuse program
1103 regulated pursuant to s. 397.4014. Furthermore, this chapter may
1104 not be construed to limit the practice of a physician or
1105 physician assistant licensed under chapter 458 or chapter 459, a
1106 psychologist licensed under chapter 490, a psychotherapist
1107 licensed under chapter 491, or an advanced practice registered
1108 nurse ~~advanced registered nurse practitioner~~ licensed under part
1109 I of chapter 464, who provides substance abuse treatment, so
1110 long as the physician, physician assistant, psychologist,
1111 psychotherapist, or advanced practice registered nurse ~~advanced~~
1112 ~~registered nurse practitioner~~ does not represent to the public
1113 that he or she is a licensed service provider and does not
1114 provide services to individuals pursuant to part V of this
1115 chapter. Failure to comply with any requirement necessary to
1116 maintain an exempt status under this section is a misdemeanor of
1117 the first degree, punishable as provided in s. 775.082 or s.
1118 775.083.

1119 Section 26. Subsections (4), (7), and (8) of section
1120 397.427, Florida Statutes, are amended to read:

1121 397.427 Medication-assisted treatment service providers;
1122 rehabilitation program; needs assessment and provision of
1123 services; persons authorized to issue takeout medication;
1124 unlawful operation; penalty.—

1125 (4) Notwithstanding s. 465.019(2), a physician assistant,

1126 a registered nurse, an advanced practice registered nurse
 1127 ~~advanced registered nurse practitioner~~, or a licensed practical
 1128 nurse working for a licensed service provider may deliver
 1129 takeout medication for opiate treatment to persons enrolled in a
 1130 maintenance treatment program for medication-assisted treatment
 1131 for opiate addiction if:

1132 (a) The medication-assisted treatment program for opiate
 1133 addiction has an appropriate valid permit issued pursuant to
 1134 rules adopted by the Board of Pharmacy;

1135 (b) The medication for treatment of opiate addiction has
 1136 been delivered pursuant to a valid prescription written by the
 1137 program's physician licensed pursuant to chapter 458 or chapter
 1138 459;

1139 (c) The medication for treatment of opiate addiction which
 1140 is ordered appears on a formulary and is prepackaged and
 1141 prelabeled with dosage instructions and distributed from a
 1142 source authorized under chapter 499;

1143 (d) Each licensed provider adopts written protocols which
 1144 provide for supervision of the physician assistant, registered
 1145 nurse, advanced practice registered nurse ~~advanced registered~~
 1146 ~~nurse practitioner~~, or licensed practical nurse by a physician
 1147 licensed pursuant to chapter 458 or chapter 459 and for the
 1148 procedures by which patients' medications may be delivered by
 1149 the physician assistant, registered nurse, advanced practice
 1150 registered nurse ~~advanced registered nurse practitioner~~, or

1151 licensed practical nurse. Such protocols shall be signed by the
 1152 supervising physician and either the administering registered
 1153 nurse, the advanced practice registered nurse ~~advanced~~
 1154 ~~registered nurse practitioner~~, or the licensed practical nurse.

1155 (e) Each licensed service provider maintains and has
 1156 available for inspection by representatives of the Board of
 1157 Pharmacy all medical records and patient care protocols,
 1158 including records of medications delivered to patients, in
 1159 accordance with the board.

1160 (7) A physician assistant, a registered nurse, an advanced
 1161 practice registered nurse ~~advanced registered nurse~~
 1162 ~~practitioner~~, or a licensed practical nurse working for a
 1163 licensed service provider may deliver medication as prescribed
 1164 by rule if:

1165 (a) The service provider is authorized to provide
 1166 medication-assisted treatment;

1167 (b) The medication has been administered pursuant to a
 1168 valid prescription written by the program's physician who is
 1169 licensed under chapter 458 or chapter 459; and

1170 (c) The medication ordered appears on a formulary or meets
 1171 federal requirements for medication-assisted treatment.

1172 (8) Each licensed service provider that provides
 1173 medication-assisted treatment must adopt written protocols as
 1174 specified by the department and in accordance with federally
 1175 required rules, regulations, or procedures. The protocol shall

1176 provide for the supervision of the physician assistant,
 1177 registered nurse, advanced practice registered nurse ~~advanced~~
 1178 ~~registered nurse practitioner~~, or licensed practical nurse
 1179 working under the supervision of a physician who is licensed
 1180 under chapter 458 or chapter 459. The protocol must specify how
 1181 the medication will be used in conjunction with counseling or
 1182 psychosocial treatment and that the services provided will be
 1183 included on the treatment plan. The protocol must specify the
 1184 procedures by which medication-assisted treatment may be
 1185 administered by the physician assistant, registered nurse,
 1186 advanced practice registered nurse ~~advanced registered nurse~~
 1187 ~~practitioner~~, or licensed practical nurse. These protocols shall
 1188 be signed by the supervising physician and the administering
 1189 physician assistant, registered nurse, advanced practice
 1190 registered nurse ~~advanced registered nurse practitioner~~, or
 1191 licensed practical nurse.

1192 Section 27. Section 397.679, Florida Statutes, is amended
 1193 to read:

1194 397.679 Emergency admission; circumstances justifying.—A
 1195 person who meets the criteria for involuntary admission in s.
 1196 397.675 may be admitted to a hospital or to a licensed
 1197 detoxification facility or addictions receiving facility for
 1198 emergency assessment and stabilization, or to a less intensive
 1199 component of a licensed service provider for assessment only,
 1200 upon receipt by the facility of a certificate by a physician, an

1201 advanced practice registered nurse ~~advanced registered nurse~~
 1202 ~~practitioner~~, a psychiatric nurse, a clinical psychologist, a
 1203 clinical social worker, a marriage and family therapist, a
 1204 mental health counselor, a physician assistant working under the
 1205 scope of practice of the supervising physician, or a master's-
 1206 level-certified addictions professional for substance abuse
 1207 services, if the certificate is specific to substance abuse
 1208 impairment, and the completion of an application for emergency
 1209 admission.

1210 Section 28. Subsection (1) of section 397.6793, Florida
 1211 Statutes, is amended to read:

1212 397.6793 Professional's certificate for emergency
 1213 admission.—

1214 (1) A physician, a clinical psychologist, a physician
 1215 assistant working under the scope of practice of the supervising
 1216 physician, a psychiatric nurse, an advanced practice registered
 1217 nurse ~~advanced registered nurse practitioner~~, a mental health
 1218 counselor, a marriage and family therapist, a master's-level-
 1219 certified addictions professional for substance abuse services,
 1220 or a clinical social worker may execute a professional's
 1221 certificate for emergency admission. The professional's
 1222 certificate must include the name of the person to be admitted,
 1223 the relationship between the person and the professional
 1224 executing the certificate, the relationship between the
 1225 applicant and the professional, any relationship between the

1226 professional and the licensed service provider, a statement that
1227 the person has been examined and assessed within the preceding 5
1228 days after the application date, and factual allegations with
1229 respect to the need for emergency admission, including:

1230 (a) The reason for the belief that the person is substance
1231 abuse impaired;

1232 (b) The reason for the belief that because of such
1233 impairment the person has lost the power of self-control with
1234 respect to substance abuse; and

1235 (c)1. The reason for the belief that, without care or
1236 treatment, the person is likely to suffer from neglect or refuse
1237 to care for himself or herself; that such neglect or refusal
1238 poses a real and present threat of substantial harm to his or
1239 her well-being; and that it is not apparent that such harm may
1240 be avoided through the help of willing family members or friends
1241 or the provision of other services, or there is substantial
1242 likelihood that the person has inflicted or, unless admitted, is
1243 likely to inflict, physical harm on himself, herself, or
1244 another; or

1245 2. The reason for the belief that the person's refusal to
1246 voluntarily receive care is based on judgment so impaired by
1247 reason of substance abuse that the person is incapable of
1248 appreciating his or her need for care and of making a rational
1249 decision regarding his or her need for care.

1250 Section 29. Subsection (8) of section 400.021, Florida

1251 Statutes, is amended to read:

1252 400.021 Definitions.—When used in this part, unless the
1253 context otherwise requires, the term:

1254 (8) "Geriatric outpatient clinic" means a site for
1255 providing outpatient health care to persons 60 years of age or
1256 older, which is staffed by a registered nurse, a physician
1257 assistant, or a licensed practical nurse under the direct
1258 supervision of a registered nurse, advanced practice registered
1259 nurse ~~advanced registered nurse practitioner~~, physician
1260 assistant, or physician.

1261 Section 30. Subsection (3) of section 400.462, Florida
1262 Statutes, is amended to read:

1263 400.462 Definitions.—As used in this part, the term:

1264 (3) "Advanced practice registered nurse" ~~"Advanced~~
1265 ~~registered nurse practitioner"~~ means a person licensed in this
1266 state to practice professional nursing and certified in advanced
1267 or specialized nursing practice, as defined in s. 464.003.

1268 Section 31. Section 400.487, Florida Statutes, is amended
1269 to read:

1270 400.487 Home health service agreements; physician's,
1271 physician assistant's, and advanced practice registered nurse's
1272 ~~advanced registered nurse practitioner's~~ treatment orders;
1273 patient assessment; establishment and review of plan of care;
1274 provision of services; orders not to resuscitate.—

1275 (1) Services provided by a home health agency must be

1276 covered by an agreement between the home health agency and the
 1277 patient or the patient's legal representative specifying the
 1278 home health services to be provided, the rates or charges for
 1279 services paid with private funds, and the sources of payment,
 1280 which may include Medicare, Medicaid, private insurance,
 1281 personal funds, or a combination thereof. A home health agency
 1282 providing skilled care must make an assessment of the patient's
 1283 needs within 48 hours after the start of services.

1284 (2) When required by the provisions of chapter 464; part
 1285 I, part III, or part V of chapter 468; or chapter 486, the
 1286 attending physician, physician assistant, or advanced practice
 1287 registered nurse ~~advanced registered nurse practitioner~~, acting
 1288 within his or her respective scope of practice, shall establish
 1289 treatment orders for a patient who is to receive skilled care.
 1290 The treatment orders must be signed by the physician, physician
 1291 assistant, or advanced practice registered nurse ~~advanced~~
 1292 ~~registered nurse practitioner~~ before a claim for payment for the
 1293 skilled services is submitted by the home health agency. If the
 1294 claim is submitted to a managed care organization, the treatment
 1295 orders must be signed within the time allowed under the provider
 1296 agreement. The treatment orders shall be reviewed, as frequently
 1297 as the patient's illness requires, by the physician, physician
 1298 assistant, or advanced practice registered nurse ~~advanced~~
 1299 ~~registered nurse practitioner~~ in consultation with the home
 1300 health agency.

1301 (3) A home health agency shall arrange for supervisory
1302 visits by a registered nurse to the home of a patient receiving
1303 home health aide services in accordance with the patient's
1304 direction, approval, and agreement to pay the charge for the
1305 visits.

1306 (4) Each patient has the right to be informed of and to
1307 participate in the planning of his or her care. Each patient
1308 must be provided, upon request, a copy of the plan of care
1309 established and maintained for that patient by the home health
1310 agency.

1311 (5) When nursing services are ordered, the home health
1312 agency to which a patient has been admitted for care must
1313 provide the initial admission visit, all service evaluation
1314 visits, and the discharge visit by a direct employee. Services
1315 provided by others under contractual arrangements to a home
1316 health agency must be monitored and managed by the admitting
1317 home health agency. The admitting home health agency is fully
1318 responsible for ensuring that all care provided through its
1319 employees or contract staff is delivered in accordance with this
1320 part and applicable rules.

1321 (6) The skilled care services provided by a home health
1322 agency, directly or under contract, must be supervised and
1323 coordinated in accordance with the plan of care.

1324 (7) Home health agency personnel may withhold or withdraw
1325 cardiopulmonary resuscitation if presented with an order not to

1326 resuscitate executed pursuant to s. 401.45. The agency shall
 1327 adopt rules providing for the implementation of such orders.
 1328 Home health personnel and agencies shall not be subject to
 1329 criminal prosecution or civil liability, nor be considered to
 1330 have engaged in negligent or unprofessional conduct, for
 1331 withholding or withdrawing cardiopulmonary resuscitation
 1332 pursuant to such an order and rules adopted by the agency.

1333 Section 32. Paragraph (a) of subsection (13) of section
 1334 400.506, Florida Statutes, is amended to read:

1335 400.506 Licensure of nurse registries; requirements;
 1336 penalties.—

1337 (13) All persons referred for contract in private
 1338 residences by a nurse registry must comply with the following
 1339 requirements for a plan of treatment:

1340 (a) When, in accordance with the privileges and
 1341 restrictions imposed upon a nurse under part I of chapter 464,
 1342 the delivery of care to a patient is under the direction or
 1343 supervision of a physician or when a physician is responsible
 1344 for the medical care of the patient, a medical plan of treatment
 1345 must be established for each patient receiving care or treatment
 1346 provided by a licensed nurse in the home. The original medical
 1347 plan of treatment must be timely signed by the physician,
 1348 physician assistant, or advanced practice registered nurse
 1349 ~~advanced registered nurse practitioner~~, acting within his or her
 1350 respective scope of practice, and reviewed in consultation with

1351 the licensed nurse at least every 2 months. Any additional order
 1352 or change in orders must be obtained from the physician,
 1353 physician assistant, or advanced practice registered nurse
 1354 ~~advanced registered nurse practitioner~~ and reduced to writing
 1355 and timely signed by the physician, physician assistant, or
 1356 advanced practice registered nurse ~~advanced registered nurse~~
 1357 ~~practitioner~~. The delivery of care under a medical plan of
 1358 treatment must be substantiated by the appropriate nursing notes
 1359 or documentation made by the nurse in compliance with nursing
 1360 practices established under part I of chapter 464.

1361 Section 33. Subsections (5) and (7) of section 400.9973,
 1362 Florida Statutes, are amended to read:

1363 400.9973 Client admission, transfer, and discharge.—

1364 (5) A client admitted to a transitional living facility
 1365 must be admitted upon prescription by a licensed physician,
 1366 physician assistant, or advanced practice registered nurse
 1367 ~~advanced registered nurse practitioner~~ and must remain under the
 1368 care of a licensed physician, physician assistant, or advanced
 1369 practice registered nurse ~~advanced registered nurse practitioner~~
 1370 for the duration of the client's stay in the facility.

1371 (7) A person may not be admitted to a transitional living
 1372 facility if the person:

1373 (a) Presents significant risk of infection to other
 1374 clients or personnel. A health care practitioner must provide
 1375 documentation that the person is free of apparent signs and

1376 symptoms of communicable disease;

1377 (b) Is a danger to himself or herself or others as
 1378 determined by a physician, physician assistant, ~~or~~ advanced
 1379 practice registered nurse, ~~advanced registered nurse~~
 1380 ~~practitioner~~ or a mental health practitioner licensed under
 1381 chapter 490 or chapter 491, unless the facility provides
 1382 adequate staffing and support to ensure patient safety;

1383 (c) Is bedridden; or

1384 (d) Requires 24-hour nursing supervision.

1385 Section 34. Subsection (1) and paragraphs (a) and (b) of
 1386 subsection (2) of section 400.9974, Florida Statutes, are
 1387 amended to read:

1388 400.9974 Client comprehensive treatment plans; client
 1389 services.—

1390 (1) A transitional living facility shall develop a
 1391 comprehensive treatment plan for each client as soon as
 1392 practicable but no later than 30 days after the initial
 1393 comprehensive treatment plan is developed. The comprehensive
 1394 treatment plan must be developed by an interdisciplinary team
 1395 consisting of the case manager, the program director, the
 1396 advanced practice registered nurse ~~advanced registered nurse~~
 1397 ~~practitioner~~, and appropriate therapists. The client or, if
 1398 appropriate, the client's representative must be included in
 1399 developing the comprehensive treatment plan. The comprehensive
 1400 treatment plan must be reviewed and updated if the client fails

1401 to meet projected improvements outlined in the plan or if a
 1402 significant change in the client's condition occurs. The
 1403 comprehensive treatment plan must be reviewed and updated at
 1404 least once monthly.

1405 (2) The comprehensive treatment plan must include:

1406 (a) Orders obtained from the physician, physician
 1407 assistant, or advanced practice registered nurse ~~advanced~~
 1408 ~~registered nurse practitioner~~ and the client's diagnosis,
 1409 medical history, physical examination, and rehabilitative or
 1410 restorative needs.

1411 (b) A preliminary nursing evaluation, including orders for
 1412 immediate care provided by the physician, physician assistant,
 1413 or advanced practice registered nurse ~~advanced registered nurse~~
 1414 ~~practitioner~~, which shall be completed when the client is
 1415 admitted.

1416 Section 35. Section 400.9976, Florida Statutes, is amended
 1417 to read:

1418 400.9976 Administration of medication.—

1419 (1) An individual medication administration record must be
 1420 maintained for each client. A dose of medication, including a
 1421 self-administered dose, shall be properly recorded in the
 1422 client's record. A client who self-administers medication shall
 1423 be given a pill organizer. Medication must be placed in the pill
 1424 organizer by a nurse. A nurse shall document the date and time
 1425 that medication is placed into each client's pill organizer. All

1426 medications must be administered in compliance with orders of a
1427 physician, physician assistant, or advanced practice registered
1428 nurse ~~advanced registered nurse practitioner~~.

1429 (2) If an interdisciplinary team determines that self-
1430 administration of medication is an appropriate objective, and if
1431 the physician, physician assistant, or advanced practice
1432 registered nurse ~~advanced registered nurse practitioner~~ does not
1433 specify otherwise, the client must be instructed by the
1434 physician, physician assistant, or advanced practice registered
1435 nurse ~~advanced registered nurse practitioner~~ to self-administer
1436 his or her medication without the assistance of a staff person.
1437 All forms of self-administration of medication, including
1438 administration orally, by injection, and by suppository, shall
1439 be included in the training. The client's physician, physician
1440 assistant, or advanced practice registered nurse ~~advanced~~
1441 ~~registered nurse practitioner~~ must be informed of the
1442 interdisciplinary team's decision that self-administration of
1443 medication is an objective for the client. A client may not
1444 self-administer medication until he or she demonstrates the
1445 competency to take the correct medication in the correct dosage
1446 at the correct time, to respond to missed doses, and to contact
1447 the appropriate person with questions.

1448 (3) Medication administration discrepancies and adverse
1449 drug reactions must be recorded and reported immediately to a
1450 physician, physician assistant, or advanced practice registered

1451 nurse ~~advanced registered nurse practitioner~~.

1452 Section 36. Subsections (2) through (5) of section
1453 400.9979, Florida Statutes, are amended to read:

1454 400.9979 Restraint and seclusion; client safety.—

1455 (2) The use of physical restraints must be ordered and
1456 documented by a physician, physician assistant, or advanced
1457 practice registered nurse ~~advanced registered nurse practitioner~~
1458 and must be consistent with the policies and procedures adopted
1459 by the facility. The client or, if applicable, the client's
1460 representative shall be informed of the facility's physical
1461 restraint policies and procedures when the client is admitted.

1462 (3) The use of chemical restraints shall be limited to
1463 prescribed dosages of medications as ordered by a physician,
1464 physician assistant, or advanced practice registered nurse
1465 ~~advanced registered nurse practitioner~~ and must be consistent
1466 with the client's diagnosis and the policies and procedures
1467 adopted by the facility. The client and, if applicable, the
1468 client's representative shall be informed of the facility's
1469 chemical restraint policies and procedures when the client is
1470 admitted.

1471 (4) Based on the assessment by a physician, physician
1472 assistant, or advanced practice registered nurse ~~advanced~~
1473 ~~registered nurse practitioner~~, if a client exhibits symptoms
1474 that present an immediate risk of injury or death to himself or
1475 herself or others, a physician, physician assistant, or advanced

1476 practice registered nurse ~~advanced registered nurse practitioner~~
 1477 may issue an emergency treatment order to immediately administer
 1478 rapid-response psychotropic medications or other chemical
 1479 restraints. Each emergency treatment order must be documented
 1480 and maintained in the client's record.

1481 (a) An emergency treatment order is not effective for more
 1482 than 24 hours.

1483 (b) Whenever a client is medicated under this subsection,
 1484 the client's representative or a responsible party and the
 1485 client's physician, physician assistant, or advanced practice
 1486 registered nurse ~~advanced registered nurse practitioner~~ shall be
 1487 notified as soon as practicable.

1488 (5) A client who is prescribed and receives a medication
 1489 that can serve as a chemical restraint for a purpose other than
 1490 an emergency treatment order must be evaluated by his or her
 1491 physician, physician assistant, or advanced practice registered
 1492 nurse ~~advanced registered nurse practitioner~~ at least monthly to
 1493 assess:

1494 (a) The continued need for the medication.

1495 (b) The level of the medication in the client's blood.

1496 (c) The need for adjustments to the prescription.

1497 Section 37. Subsections (1) and (2) of section 401.445,
 1498 Florida Statutes, are amended to read:

1499 401.445 Emergency examination and treatment of
 1500 incapacitated persons.—

1501 (1) No recovery shall be allowed in any court in this
 1502 state against any emergency medical technician, paramedic, or
 1503 physician as defined in this chapter, any advanced practice
 1504 registered nurse ~~advanced registered nurse practitioner~~
 1505 certified under s. 464.012, or any physician assistant licensed
 1506 under s. 458.347 or s. 459.022, or any person acting under the
 1507 direct medical supervision of a physician, in an action brought
 1508 for examining or treating a patient without his or her informed
 1509 consent if:

1510 (a) The patient at the time of examination or treatment is
 1511 intoxicated, under the influence of drugs, or otherwise
 1512 incapable of providing informed consent as provided in s.
 1513 766.103;

1514 (b) The patient at the time of examination or treatment is
 1515 experiencing an emergency medical condition; and

1516 (c) The patient would reasonably, under all the
 1517 surrounding circumstances, undergo such examination, treatment,
 1518 or procedure if he or she were advised by the emergency medical
 1519 technician, paramedic, physician, advanced practice registered
 1520 nurse ~~advanced registered nurse practitioner~~, or physician
 1521 assistant in accordance with s. 766.103(3).

1522
 1523 Examination and treatment provided under this subsection shall
 1524 be limited to reasonable examination of the patient to determine
 1525 the medical condition of the patient and treatment reasonably

1526 necessary to alleviate the emergency medical condition or to
1527 stabilize the patient.

1528 (2) In examining and treating a person who is apparently
1529 intoxicated, under the influence of drugs, or otherwise
1530 incapable of providing informed consent, the emergency medical
1531 technician, paramedic, physician, advanced practice registered
1532 nurse ~~advanced registered nurse practitioner~~, or physician
1533 assistant, or any person acting under the direct medical
1534 supervision of a physician, shall proceed wherever possible with
1535 the consent of the person. If the person reasonably appears to
1536 be incapacitated and refuses his or her consent, the person may
1537 be examined, treated, or taken to a hospital or other
1538 appropriate treatment resource if he or she is in need of
1539 emergency attention, without his or her consent, but
1540 unreasonable force shall not be used.

1541 Section 38. Subsection (1) of section 409.905, Florida
1542 Statutes, is amended to read:

1543 409.905 Mandatory Medicaid services.—The agency may make
1544 payments for the following services, which are required of the
1545 state by Title XIX of the Social Security Act, furnished by
1546 Medicaid providers to recipients who are determined to be
1547 eligible on the dates on which the services were provided. Any
1548 service under this section shall be provided only when medically
1549 necessary and in accordance with state and federal law.
1550 Mandatory services rendered by providers in mobile units to

1551 Medicaid recipients may be restricted by the agency. Nothing in
 1552 this section shall be construed to prevent or limit the agency
 1553 from adjusting fees, reimbursement rates, lengths of stay,
 1554 number of visits, number of services, or any other adjustments
 1555 necessary to comply with the availability of moneys and any
 1556 limitations or directions provided for in the General
 1557 Appropriations Act or chapter 216.

1558 (1) ADVANCED PRACTICE REGISTERED NURSE ~~ADVANCED REGISTERED~~
 1559 ~~NURSE PRACTITIONER~~ SERVICES.—The agency shall pay for services
 1560 provided to a recipient by a licensed advanced practice
 1561 registered nurse ~~advanced registered nurse practitioner~~ who has
 1562 a valid collaboration agreement with a licensed physician on
 1563 file with the Department of Health or who provides anesthesia
 1564 services in accordance with established protocol required by
 1565 state law and approved by the medical staff of the facility in
 1566 which the anesthetic service is performed. Reimbursement for
 1567 such services must be provided in an amount that equals not less
 1568 than 80 percent of the reimbursement to a physician who provides
 1569 the same services, unless otherwise provided for in the General
 1570 Appropriations Act.

1571 Section 39. Paragraph (a) of subsection (3) and subsection
 1572 (7) of section 409.908, Florida Statutes, are amended to read:

1573 409.908 Reimbursement of Medicaid providers.—Subject to
 1574 specific appropriations, the agency shall reimburse Medicaid
 1575 providers, in accordance with state and federal law, according

1576 to methodologies set forth in the rules of the agency and in
1577 policy manuals and handbooks incorporated by reference therein.
1578 These methodologies may include fee schedules, reimbursement
1579 methods based on cost reporting, negotiated fees, competitive
1580 bidding pursuant to s. 287.057, and other mechanisms the agency
1581 considers efficient and effective for purchasing services or
1582 goods on behalf of recipients. If a provider is reimbursed based
1583 on cost reporting and submits a cost report late and that cost
1584 report would have been used to set a lower reimbursement rate
1585 for a rate semester, then the provider's rate for that semester
1586 shall be retroactively calculated using the new cost report, and
1587 full payment at the recalculated rate shall be effected
1588 retroactively. Medicare-granted extensions for filing cost
1589 reports, if applicable, shall also apply to Medicaid cost
1590 reports. Payment for Medicaid compensable services made on
1591 behalf of Medicaid eligible persons is subject to the
1592 availability of moneys and any limitations or directions
1593 provided for in the General Appropriations Act or chapter 216.
1594 Further, nothing in this section shall be construed to prevent
1595 or limit the agency from adjusting fees, reimbursement rates,
1596 lengths of stay, number of visits, or number of services, or
1597 making any other adjustments necessary to comply with the
1598 availability of moneys and any limitations or directions
1599 provided for in the General Appropriations Act, provided the
1600 adjustment is consistent with legislative intent.

1601 (3) Subject to any limitations or directions provided for
 1602 in the General Appropriations Act, the following Medicaid
 1603 services and goods may be reimbursed on a fee-for-service basis.
 1604 For each allowable service or goods furnished in accordance with
 1605 Medicaid rules, policy manuals, handbooks, and state and federal
 1606 law, the payment shall be the amount billed by the provider, the
 1607 provider's usual and customary charge, or the maximum allowable
 1608 fee established by the agency, whichever amount is less, with
 1609 the exception of those services or goods for which the agency
 1610 makes payment using a methodology based on capitation rates,
 1611 average costs, or negotiated fees.

1612 (a) Advanced practice registered nurse ~~Advanced registered~~
 1613 ~~nurse practitioner~~ services.

1614 (7) A provider of family planning services shall be
 1615 reimbursed the lesser of the amount billed by the provider or an
 1616 all-inclusive amount per type of visit for physicians and
 1617 advanced practice registered nurses ~~advanced registered nurse~~
 1618 ~~practitioners~~, as established by the agency in a fee schedule.

1619 Section 40. Paragraph (a) of subsection (1) of section
 1620 409.973, Florida Statutes, is amended to read:

1621 409.973 Benefits.—

1622 (1) MINIMUM BENEFITS.—Managed care plans shall cover, at a
 1623 minimum, the following services:

1624 (a) Advanced practice registered nurse ~~Advanced registered~~
 1625 ~~nurse practitioner~~ services.

1626 Section 41. Effective March 1, 2019, subsection (1) of
 1627 section 409.973, Florida Statutes, as amended by section 1 of
 1628 chapter 2016-109, Laws of Florida, is amended to read:

1629 409.973 Benefits.—

1630 (1) MINIMUM BENEFITS.—Managed care plans shall cover, at a
 1631 minimum, the following services:

1632 (a) Advanced practice registered nurse ~~Advanced registered~~
 1633 ~~nurse-practitioner~~ services.

1634 (b) Ambulatory surgical treatment center services.

1635 (c) Birthing center services.

1636 (d) Chiropractic services.

1637 (e) Early periodic screening diagnosis and treatment
 1638 services for recipients under age 21.

1639 (f) Emergency services.

1640 (g) Family planning services and supplies. Pursuant to 42
 1641 C.F.R. s. 438.102, plans may elect to not provide these services
 1642 due to an objection on moral or religious grounds, and must
 1643 notify the agency of that election when submitting a reply to an
 1644 invitation to negotiate.

1645 (h) Healthy start services, except as provided in s.
 1646 409.975(4).

1647 (i) Hearing services.

1648 (j) Home health agency services.

1649 (k) Hospice services.

1650 (l) Hospital inpatient services.

- 1651 (m) Hospital outpatient services.
- 1652 (n) Laboratory and imaging services.
- 1653 (o) Medical supplies, equipment, prostheses, and orthoses.
- 1654 (p) Mental health services.
- 1655 (q) Nursing care.
- 1656 (r) Optical services and supplies.
- 1657 (s) Optometrist services.
- 1658 (t) Physical, occupational, respiratory, and speech
- 1659 therapy services.
- 1660 (u) Physician services, including physician assistant
- 1661 services.
- 1662 (v) Podiatric services.
- 1663 (w) Prescription drugs.
- 1664 (x) Renal dialysis services.
- 1665 (y) Respiratory equipment and supplies.
- 1666 (z) Rural health clinic services.
- 1667 (aa) Substance abuse treatment services.
- 1668 (bb) Transportation to access covered services.
- 1669 Section 42. Paragraph (a) of subsection (2) and paragraph
- 1670 (a) of subsection (7) of section 429.918, Florida Statutes, are
- 1671 amended to read:
- 1672 429.918 Licensure designation as a specialized Alzheimer's
- 1673 services adult day care center.—
- 1674 (2) As used in this section, the term:
- 1675 (a) "ADRD participant" means a participant who has a

1676 | documented diagnosis of Alzheimer's disease or a dementia-
1677 | related disorder (ADRD) from a licensed physician, licensed
1678 | physician assistant, or a licensed advanced practice registered
1679 | nurse ~~advanced registered nurse practitioner~~.

1680 | (7) (a) An ADRD participant admitted to an adult day care
1681 | center having a license designated under this section, or the
1682 | caregiver when applicable, must:

1683 | 1. Require ongoing supervision to maintain the highest
1684 | level of medical or custodial functioning and have a
1685 | demonstrated need for a responsible party to oversee his or her
1686 | care.

1687 | 2. Not actively demonstrate aggressive behavior that
1688 | places himself, herself, or others at risk of harm.

1689 | 3. Provide the following medical documentation signed by a
1690 | licensed physician, licensed physician assistant, or a licensed
1691 | advanced practice registered nurse ~~advanced registered nurse~~
1692 | ~~practitioner~~:

1693 | a. Any physical, health, or emotional conditions that
1694 | require medical care.

1695 | b. A listing of the ADRD participant's current prescribed
1696 | and over-the-counter medications and dosages, diet restrictions,
1697 | mobility restrictions, and other physical limitations.

1698 | 4. Provide documentation signed by a health care provider
1699 | licensed in this state which indicates that the ADRD participant
1700 | is free of the communicable form of tuberculosis and free of

1701 signs and symptoms of other communicable diseases.

1702 Section 43. Section 456.0391, Florida Statutes, is amended
1703 to read:

1704 456.0391 Advanced practice registered nurses ~~Advanced~~
1705 ~~registered nurse practitioners~~; information required for
1706 certification.—

1707 (1) (a) Each person who applies for initial certification
1708 under s. 464.012 must, at the time of application, and each
1709 person certified under s. 464.012 who applies for certification
1710 renewal must, in conjunction with the renewal of such
1711 certification and under procedures adopted by the Department of
1712 Health, and in addition to any other information that may be
1713 required from the applicant, furnish the following information
1714 to the Department of Health:

1715 1. The name of each school or training program that the
1716 applicant has attended, with the months and years of attendance
1717 and the month and year of graduation, and a description of all
1718 graduate professional education completed by the applicant,
1719 excluding any coursework taken to satisfy continuing education
1720 requirements.

1721 2. The name of each location at which the applicant
1722 practices.

1723 3. The address at which the applicant will primarily
1724 conduct his or her practice.

1725 4. Any certification or designation that the applicant has

1726 received from a specialty or certification board that is
1727 recognized or approved by the regulatory board or department to
1728 which the applicant is applying.

1729 5. The year that the applicant received initial
1730 certification and began practicing the profession in any
1731 jurisdiction and the year that the applicant received initial
1732 certification in this state.

1733 6. Any appointment which the applicant currently holds to
1734 the faculty of a school related to the profession and an
1735 indication as to whether the applicant has had the
1736 responsibility for graduate education within the most recent 10
1737 years.

1738 7. A description of any criminal offense of which the
1739 applicant has been found guilty, regardless of whether
1740 adjudication of guilt was withheld, or to which the applicant
1741 has pled guilty or nolo contendere. A criminal offense committed
1742 in another jurisdiction which would have been a felony or
1743 misdemeanor if committed in this state must be reported. If the
1744 applicant indicates that a criminal offense is under appeal and
1745 submits a copy of the notice for appeal of that criminal
1746 offense, the department must state that the criminal offense is
1747 under appeal if the criminal offense is reported in the
1748 applicant's profile. If the applicant indicates to the
1749 department that a criminal offense is under appeal, the
1750 applicant must, within 15 days after the disposition of the

1751 appeal, submit to the department a copy of the final written
1752 order of disposition.

1753 8. A description of any final disciplinary action taken
1754 within the previous 10 years against the applicant by a
1755 licensing or regulatory body in any jurisdiction, by a specialty
1756 board that is recognized by the board or department, or by a
1757 licensed hospital, health maintenance organization, prepaid
1758 health clinic, ambulatory surgical center, or nursing home.
1759 Disciplinary action includes resignation from or nonrenewal of
1760 staff membership or the restriction of privileges at a licensed
1761 hospital, health maintenance organization, prepaid health
1762 clinic, ambulatory surgical center, or nursing home taken in
1763 lieu of or in settlement of a pending disciplinary case related
1764 to competence or character. If the applicant indicates that the
1765 disciplinary action is under appeal and submits a copy of the
1766 document initiating an appeal of the disciplinary action, the
1767 department must state that the disciplinary action is under
1768 appeal if the disciplinary action is reported in the applicant's
1769 profile.

1770 (b) In addition to the information required under
1771 paragraph (a), each applicant for initial certification or
1772 certification renewal must provide the information required of
1773 licensees pursuant to s. 456.049.

1774 (2) The Department of Health shall send a notice to each
1775 person certified under s. 464.012 at the certificateholder's

1776 last known address of record regarding the requirements for
1777 information to be submitted by advanced practice registered
1778 nurses ~~advanced registered nurse practitioners~~ pursuant to this
1779 section in conjunction with the renewal of such certificate.

1780 (3) Each person certified under s. 464.012 who has
1781 submitted information pursuant to subsection (1) must update
1782 that information in writing by notifying the Department of
1783 Health within 45 days after the occurrence of an event or the
1784 attainment of a status that is required to be reported by
1785 subsection (1). Failure to comply with the requirements of this
1786 subsection to update and submit information constitutes a ground
1787 for disciplinary action under chapter 464 and s. 456.072(1)(k).
1788 For failure to comply with the requirements of this subsection
1789 to update and submit information, the department or board, as
1790 appropriate, may:

1791 (a) Refuse to issue a certificate to any person applying
1792 for initial certification who fails to submit and update the
1793 required information.

1794 (b) Issue a citation to any certificateholder who fails to
1795 submit and update the required information and may fine the
1796 certificateholder up to \$50 for each day that the
1797 certificateholder is not in compliance with this subsection. The
1798 citation must clearly state that the certificateholder may
1799 choose, in lieu of accepting the citation, to follow the
1800 procedure under s. 456.073. If the certificateholder disputes

1801 the matter in the citation, the procedures set forth in s.
1802 456.073 must be followed. However, if the certificateholder does
1803 not dispute the matter in the citation with the department
1804 within 30 days after the citation is served, the citation
1805 becomes a final order and constitutes discipline. Service of a
1806 citation may be made by personal service or certified mail,
1807 restricted delivery, to the subject at the certificateholder's
1808 last known address.

1809 (4) (a) An applicant for initial certification under s.
1810 464.012 must submit a set of fingerprints to the Department of
1811 Health on a form and under procedures specified by the
1812 department, along with payment in an amount equal to the costs
1813 incurred by the Department of Health for a national criminal
1814 history check of the applicant.

1815 (b) An applicant for renewed certification who has not
1816 previously submitted a set of fingerprints to the Department of
1817 Health for purposes of certification must submit a set of
1818 fingerprints to the department as a condition of the initial
1819 renewal of his or her certificate after the effective date of
1820 this section. The applicant must submit the fingerprints on a
1821 form and under procedures specified by the department, along
1822 with payment in an amount equal to the costs incurred by the
1823 Department of Health for a national criminal history check. For
1824 subsequent renewals, the applicant for renewed certification
1825 must only submit information necessary to conduct a statewide

1826 criminal history check, along with payment in an amount equal to
 1827 the costs incurred by the Department of Health for a statewide
 1828 criminal history check.

1829 (c)1. The Department of Health shall submit the
 1830 fingerprints provided by an applicant for initial certification
 1831 to the Florida Department of Law Enforcement for a statewide
 1832 criminal history check, and the Florida Department of Law
 1833 Enforcement shall forward the fingerprints to the Federal Bureau
 1834 of Investigation for a national criminal history check of the
 1835 applicant.

1836 2. The department shall submit the fingerprints provided
 1837 by an applicant for the initial renewal of certification to the
 1838 Florida Department of Law Enforcement for a statewide criminal
 1839 history check, and the Florida Department of Law Enforcement
 1840 shall forward the fingerprints to the Federal Bureau of
 1841 Investigation for a national criminal history check for the
 1842 initial renewal of the applicant's certificate after the
 1843 effective date of this section.

1844 3. For any subsequent renewal of the applicant's
 1845 certificate, the department shall submit the required
 1846 information for a statewide criminal history check of the
 1847 applicant to the Florida Department of Law Enforcement.

1848 (d) Any applicant for initial certification or renewal of
 1849 certification as an advanced practice registered nurse ~~advanced~~
 1850 ~~registered nurse practitioner~~ who submits to the Department of

1851 Health a set of fingerprints and information required for the
1852 criminal history check required under this section shall not be
1853 required to provide a subsequent set of fingerprints or other
1854 duplicate information required for a criminal history check to
1855 the Agency for Health Care Administration, the Department of
1856 Juvenile Justice, or the Department of Children and Families for
1857 employment or licensure with such agency or department, if the
1858 applicant has undergone a criminal history check as a condition
1859 of initial certification or renewal of certification as an
1860 advanced practice registered nurse ~~advanced registered nurse~~
1861 ~~practitioner~~ with the Department of Health, notwithstanding any
1862 other provision of law to the contrary. In lieu of such
1863 duplicate submission, the Agency for Health Care Administration,
1864 the Department of Juvenile Justice, and the Department of
1865 Children and Families shall obtain criminal history information
1866 for employment or licensure of persons certified under s.
1867 464.012 by such agency or department from the Department of
1868 Health's health care practitioner credentialing system.

1869 (5) Each person who is required to submit information
1870 pursuant to this section may submit additional information to
1871 the Department of Health. Such information may include, but is
1872 not limited to:

1873 (a) Information regarding publications in peer-reviewed
1874 professional literature within the previous 10 years.

1875 (b) Information regarding professional or community

1876 service activities or awards.

1877 (c) Languages, other than English, used by the applicant
 1878 to communicate with patients or clients and identification of
 1879 any translating service that may be available at the place where
 1880 the applicant primarily conducts his or her practice.

1881 (d) An indication of whether the person participates in
 1882 the Medicaid program.

1883 Section 44. Subsection (2) of section 456.0392, Florida
 1884 Statutes, is amended to read:

1885 456.0392 Prescription labeling.—

1886 (2) A prescription for a drug that is not listed as a
 1887 controlled substance in chapter 893 which is written by an
 1888 advanced practice registered nurse ~~advanced registered nurse~~
 1889 ~~practitioner~~ certified under s. 464.012 is presumed, subject to
 1890 rebuttal, to be valid and within the parameters of the
 1891 prescriptive authority delegated by a practitioner licensed
 1892 under chapter 458, chapter 459, or chapter 466.

1893 Section 45. Paragraph (a) of subsection (1) and subsection
 1894 (6) of section 456.041, Florida Statutes, are amended to read:

1895 456.041 Practitioner profile; creation.—

1896 (1) (a) The Department of Health shall compile the
 1897 information submitted pursuant to s. 456.039 into a practitioner
 1898 profile of the applicant submitting the information, except that
 1899 the Department of Health shall develop a format to compile
 1900 uniformly any information submitted under s. 456.039 (4) (b).

1901 Beginning July 1, 2001, the Department of Health may compile the
 1902 information submitted pursuant to s. 456.0391 into a
 1903 practitioner profile of the applicant submitting the
 1904 information. The protocol submitted pursuant to s. 464.012(3)
 1905 must be included in the practitioner profile of the advanced
 1906 practice registered nurse ~~advanced registered nurse~~
 1907 ~~practitioner~~.

1908 (6) The Department of Health shall provide in each
 1909 practitioner profile for every physician or advanced practice
 1910 registered nurse ~~advanced registered nurse practitioner~~
 1911 terminated for cause from participating in the Medicaid program,
 1912 pursuant to s. 409.913, or sanctioned by the Medicaid program a
 1913 statement that the practitioner has been terminated from
 1914 participating in the Florida Medicaid program or sanctioned by
 1915 the Medicaid program.

1916 Section 46. Subsection (1) of section 456.048, Florida
 1917 Statutes, is amended to read:

1918 456.048 Financial responsibility requirements for certain
 1919 health care practitioners.—

1920 (1) As a prerequisite for licensure or license renewal,
 1921 the Board of Acupuncture, the Board of Chiropractic Medicine,
 1922 the Board of Podiatric Medicine, and the Board of Dentistry
 1923 shall, by rule, require that all health care practitioners
 1924 licensed under the respective board, and the Board of Medicine
 1925 and the Board of Osteopathic Medicine shall, by rule, require

1926 that all anesthesiologist assistants licensed pursuant to s.
 1927 458.3475 or s. 459.023, and the Board of Nursing shall, by rule,
 1928 require that advanced practice registered nurses ~~advanced~~
 1929 ~~registered nurse practitioners~~ certified under s. 464.012, and
 1930 the department shall, by rule, require that midwives maintain
 1931 medical malpractice insurance or provide proof of financial
 1932 responsibility in an amount and in a manner determined by the
 1933 board or department to be sufficient to cover claims arising out
 1934 of the rendering of or failure to render professional care and
 1935 services in this state.

1936 Section 47. Subsection (7) of section 456.072, Florida
 1937 Statutes, is amended to read:

1938 456.072 Grounds for discipline; penalties; enforcement.—

1939 (7) Notwithstanding subsection (2), upon a finding that a
 1940 physician has prescribed or dispensed a controlled substance, or
 1941 caused a controlled substance to be prescribed or dispensed, in
 1942 a manner that violates the standard of practice set forth in s.
 1943 458.331(1)(q) or (t), s. 459.015(1)(t) or (x), s. 461.013(1)(o)
 1944 or (s), or s. 466.028(1)(p) or (x), or that an advanced practice
 1945 registered nurse ~~advanced registered nurse practitioner~~ has
 1946 prescribed or dispensed a controlled substance, or caused a
 1947 controlled substance to be prescribed or dispensed, in a manner
 1948 that violates the standard of practice set forth in s.
 1949 464.018(1)(n) or (p)6., the physician or advanced practice
 1950 registered nurse ~~advanced registered nurse practitioner~~ shall be

1951 suspended for a period of not less than 6 months and pay a fine
 1952 of not less than \$10,000 per count. Repeated violations shall
 1953 result in increased penalties.

1954 Section 48. Paragraph (g) of subsection (1) and subsection
 1955 (2) of section 456.44, Florida Statutes, are amended to read:

1956 456.44 Controlled substance prescribing.—

1957 (1) DEFINITIONS.—As used in this section, the term:

1958 (g) "Registrant" means a physician, a physician assistant,
 1959 or an advanced practice registered nurse ~~advanced registered~~
 1960 ~~nurse practitioner~~ who meets the requirements of subsection (2).

1961 (2) REGISTRATION.—A physician licensed under chapter 458,
 1962 chapter 459, chapter 461, or chapter 466, a physician assistant
 1963 licensed under chapter 458 or chapter 459, or an advanced
 1964 practice registered nurse ~~advanced registered nurse practitioner~~
 1965 certified under part I of chapter 464 who prescribes any
 1966 controlled substance, listed in Schedule II, Schedule III, or
 1967 Schedule IV as defined in s. 893.03, for the treatment of
 1968 chronic nonmalignant pain, must:

1969 (a) Designate himself or herself as a controlled substance
 1970 prescribing practitioner on his or her practitioner profile.

1971 (b) Comply with the requirements of this section and
 1972 applicable board rules.

1973 Section 49. Paragraph (c) of subsection (2) of section
 1974 458.3265, Florida Statutes, is amended to read:

1975 458.3265 Pain-management clinics.—

1976 (2) PHYSICIAN RESPONSIBILITIES.—These responsibilities
 1977 apply to any physician who provides professional services in a
 1978 pain-management clinic that is required to be registered in
 1979 subsection (1).

1980 (c) A physician, a physician assistant, or an advanced
 1981 practice registered nurse ~~advanced registered nurse practitioner~~
 1982 must perform a physical examination of a patient on the same day
 1983 that the physician prescribes a controlled substance to a
 1984 patient at a pain-management clinic. If the physician prescribes
 1985 more than a 72-hour dose of controlled substances for the
 1986 treatment of chronic nonmalignant pain, the physician must
 1987 document in the patient's record the reason for prescribing that
 1988 quantity.

1989 Section 50. Paragraph (dd) of subsection (1) of section
 1990 458.331, Florida Statutes, is amended to read:

1991 458.331 Grounds for disciplinary action; action by the
 1992 board and department.—

1993 (1) The following acts constitute grounds for denial of a
 1994 license or disciplinary action, as specified in s. 456.072(2):

1995 (dd) Failing to supervise adequately the activities of
 1996 those physician assistants, paramedics, emergency medical
 1997 technicians, advanced practice registered nurses ~~advanced~~
 1998 ~~registered nurse practitioners~~, or anesthesiologist assistants
 1999 acting under the supervision of the physician.

2000 Section 51. Paragraph (a) of subsection (1) and subsection

2001 (3) of section 458.348, Florida Statutes, are amended to read:
 2002 458.348 Formal supervisory relationships, standing orders,
 2003 and established protocols; notice; standards.—

2004 (1) NOTICE.—

2005 (a) When a physician enters into a formal supervisory
 2006 relationship or standing orders with an emergency medical
 2007 technician or paramedic licensed pursuant to s. 401.27, which
 2008 relationship or orders contemplate the performance of medical
 2009 acts, or when a physician enters into an established protocol
 2010 with an advanced practice registered nurse ~~advanced registered~~
 2011 ~~nurse practitioner~~, which protocol contemplates the performance
 2012 of medical acts set forth in s. 464.012(3) and (4), the
 2013 physician shall submit notice to the board. The notice shall
 2014 contain a statement in substantially the following form:
 2015

2016 I, ...(name and professional license number of
 2017 physician)..., of ...(address of physician)... have hereby
 2018 entered into a formal supervisory relationship, standing orders,
 2019 or an established protocol with ...(number of persons)...
 2020 emergency medical technician(s), ...(number of persons)...
 2021 paramedic(s), or ...(number of persons)... advanced practice
 2022 registered nurse(s) ~~advanced registered nurse practitioner(s)~~.

2024 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—
 2025 A physician who supervises an advanced practice registered nurse

2026 ~~advanced registered nurse practitioner~~ or physician assistant at
 2027 a medical office other than the physician's primary practice
 2028 location, where the advanced practice registered nurse ~~advanced~~
 2029 ~~registered nurse practitioner~~ or physician assistant is not
 2030 under the onsite supervision of a supervising physician, must
 2031 comply with the standards set forth in this subsection. For the
 2032 purpose of this subsection, a physician's "primary practice
 2033 location" means the address reflected on the physician's profile
 2034 published pursuant to s. 456.041.

2035 (a) A physician who is engaged in providing primary health
 2036 care services may not supervise more than four offices in
 2037 addition to the physician's primary practice location. For the
 2038 purpose of this subsection, "primary health care" means health
 2039 care services that are commonly provided to patients without
 2040 referral from another practitioner, including obstetrical and
 2041 gynecological services, and excludes practices providing
 2042 primarily dermatologic and skin care services, which include
 2043 aesthetic skin care services.

2044 (b) A physician who is engaged in providing specialty
 2045 health care services may not supervise more than two offices in
 2046 addition to the physician's primary practice location. For the
 2047 purpose of this subsection, "specialty health care" means health
 2048 care services that are commonly provided to patients with a
 2049 referral from another practitioner and excludes practices
 2050 providing primarily dermatologic and skin care services, which

2051 include aesthetic skin care services.

2052 (c) A physician who supervises an advanced practice
2053 registered nurse ~~advanced registered nurse practitioner~~ or
2054 physician assistant at a medical office other than the
2055 physician's primary practice location, where the advanced
2056 practice registered nurse ~~advanced registered nurse practitioner~~
2057 or physician assistant is not under the onsite supervision of a
2058 supervising physician and the services offered at the office are
2059 primarily dermatologic or skin care services, which include
2060 aesthetic skin care services other than plastic surgery, must
2061 comply with the standards listed in subparagraphs 1.-4.

2062 Notwithstanding s. 458.347(4)(e)6., a physician supervising a
2063 physician assistant pursuant to this paragraph may not be
2064 required to review and cosign charts or medical records prepared
2065 by such physician assistant.

2066 1. The physician shall submit to the board the addresses
2067 of all offices where he or she is supervising an advanced
2068 practice registered nurse ~~advanced registered nurse practitioner~~
2069 or a physician's assistant which are not the physician's primary
2070 practice location.

2071 2. The physician must be board certified or board eligible
2072 in dermatology or plastic surgery as recognized by the board
2073 pursuant to s. 458.3312.

2074 3. All such offices that are not the physician's primary
2075 place of practice must be within 25 miles of the physician's

2076 primary place of practice or in a county that is contiguous to
2077 the county of the physician's primary place of practice.
2078 However, the distance between any of the offices may not exceed
2079 75 miles.

2080 4. The physician may supervise only one office other than
2081 the physician's primary place of practice except that until July
2082 1, 2011, the physician may supervise up to two medical offices
2083 other than the physician's primary place of practice if the
2084 addresses of the offices are submitted to the board before July
2085 1, 2006. Effective July 1, 2011, the physician may supervise
2086 only one office other than the physician's primary place of
2087 practice, regardless of when the addresses of the offices were
2088 submitted to the board.

2089 (d) A physician who supervises an office in addition to
2090 the physician's primary practice location must conspicuously
2091 post in each of the physician's offices a current schedule of
2092 the regular hours when the physician is present in that office
2093 and the hours when the office is open while the physician is not
2094 present.

2095 (e) This subsection does not apply to health care services
2096 provided in facilities licensed under chapter 395 or in
2097 conjunction with a college of medicine, a college of nursing, an
2098 accredited graduate medical program, or a nursing education
2099 program; not-for-profit, family-planning clinics that are not
2100 licensed pursuant to chapter 390; rural and federally qualified

2101 health centers; health care services provided in a nursing home
 2102 licensed under part II of chapter 400, an assisted living
 2103 facility licensed under part I of chapter 429, a continuing care
 2104 facility licensed under chapter 651, or a retirement community
 2105 consisting of independent living units and a licensed nursing
 2106 home or assisted living facility; anesthesia services provided
 2107 in accordance with law; health care services provided in a
 2108 designated rural health clinic; health care services provided to
 2109 persons enrolled in a program designed to maintain elderly
 2110 persons and persons with disabilities in a home or community-
 2111 based setting; university primary care student health centers;
 2112 school health clinics; or health care services provided in
 2113 federal, state, or local government facilities. Subsection (2)
 2114 and this subsection do not apply to offices at which the
 2115 exclusive service being performed is laser hair removal by an
 2116 advanced practice registered nurse ~~advanced registered nurse~~
 2117 ~~practitioner~~ or physician assistant.

2118 Section 52. Paragraph (c) of subsection (2) of section
 2119 459.0137, Florida Statutes, is amended to read:

2120 459.0137 Pain-management clinics.—

2121 (2) PHYSICIAN RESPONSIBILITIES.—These responsibilities
 2122 apply to any osteopathic physician who provides professional
 2123 services in a pain-management clinic that is required to be
 2124 registered in subsection (1).

2125 (c) An osteopathic physician, a physician assistant, or an

2126 advanced practice registered nurse ~~advanced registered nurse~~
 2127 ~~practitioner~~ must perform a physical examination of a patient on
 2128 the same day that the physician prescribes a controlled
 2129 substance to a patient at a pain-management clinic. If the
 2130 osteopathic physician prescribes more than a 72-hour dose of
 2131 controlled substances for the treatment of chronic nonmalignant
 2132 pain, the osteopathic physician must document in the patient's
 2133 record the reason for prescribing that quantity.

2134 Section 53. Paragraph (hh) of subsection (1) of section
 2135 459.015, Florida Statutes, is amended to read:

2136 459.015 Grounds for disciplinary action; action by the
 2137 board and department.—

2138 (1) The following acts constitute grounds for denial of a
 2139 license or disciplinary action, as specified in s. 456.072(2):

2140 (hh) Failing to supervise adequately the activities of
 2141 those physician assistants, paramedics, emergency medical
 2142 technicians, advanced practice registered nurses ~~advanced~~
 2143 ~~registered nurse practitioners~~, anesthesiologist assistants, or
 2144 other persons acting under the supervision of the osteopathic
 2145 physician.

2146 Section 54. Paragraph (a) of subsection (1) and subsection
 2147 (3) of section 459.025, Florida Statutes, are amended to read:

2148 459.025 Formal supervisory relationships, standing orders,
 2149 and established protocols; notice; standards.—

2150 (1) NOTICE.—

2151 (a) When an osteopathic physician enters into a formal
 2152 supervisory relationship or standing orders with an emergency
 2153 medical technician or paramedic licensed pursuant to s. 401.27,
 2154 which relationship or orders contemplate the performance of
 2155 medical acts, or when an osteopathic physician enters into an
 2156 established protocol with an advanced practice registered nurse
 2157 ~~advanced registered nurse practitioner~~, which protocol
 2158 contemplates the performance of medical acts or acts set forth
 2159 in s. 464.012(3) and (4), the osteopathic physician shall submit
 2160 notice to the board. The notice must contain a statement in
 2161 substantially the following form:

2162
 2163 I, ...(name and professional license number of osteopathic
 2164 physician)..., of ...(address of osteopathic physician)... have
 2165 hereby entered into a formal supervisory relationship, standing
 2166 orders, or an established protocol with ...(number of
 2167 persons)... emergency medical technician(s), ...(number of
 2168 persons)... paramedic(s), or ...(number of persons)... advanced
 2169 practice registered nurse(s) ~~advanced registered nurse~~
 2170 ~~practitioner(s)~~.

2171
 2172 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—
 2173 An osteopathic physician who supervises an advanced practice
 2174 registered nurse ~~advanced registered nurse practitioner~~ or
 2175 physician assistant at a medical office other than the

2176 osteopathic physician's primary practice location, where the
2177 advanced practice registered nurse ~~advanced registered nurse~~
2178 ~~practitioner~~ or physician assistant is not under the onsite
2179 supervision of a supervising osteopathic physician, must comply
2180 with the standards set forth in this subsection. For the purpose
2181 of this subsection, an osteopathic physician's "primary practice
2182 location" means the address reflected on the physician's profile
2183 published pursuant to s. 456.041.

2184 (a) An osteopathic physician who is engaged in providing
2185 primary health care services may not supervise more than four
2186 offices in addition to the osteopathic physician's primary
2187 practice location. For the purpose of this subsection, "primary
2188 health care" means health care services that are commonly
2189 provided to patients without referral from another practitioner,
2190 including obstetrical and gynecological services, and excludes
2191 practices providing primarily dermatologic and skin care
2192 services, which include aesthetic skin care services.

2193 (b) An osteopathic physician who is engaged in providing
2194 specialty health care services may not supervise more than two
2195 offices in addition to the osteopathic physician's primary
2196 practice location. For the purpose of this subsection,
2197 "specialty health care" means health care services that are
2198 commonly provided to patients with a referral from another
2199 practitioner and excludes practices providing primarily
2200 dermatologic and skin care services, which include aesthetic

2201 skin care services.

2202 (c) An osteopathic physician who supervises an advanced
 2203 practice registered nurse ~~advanced registered nurse practitioner~~
 2204 or physician assistant at a medical office other than the
 2205 osteopathic physician's primary practice location, where the
 2206 advanced practice registered nurse ~~advanced registered nurse~~
 2207 ~~practitioner~~ or physician assistant is not under the onsite
 2208 supervision of a supervising osteopathic physician and the
 2209 services offered at the office are primarily dermatologic or
 2210 skin care services, which include aesthetic skin care services
 2211 other than plastic surgery, must comply with the standards
 2212 listed in subparagraphs 1.-4. Notwithstanding s.

2213 459.022 (4) (e) 6., an osteopathic physician supervising a
 2214 physician assistant pursuant to this paragraph may not be
 2215 required to review and cosign charts or medical records prepared
 2216 by such physician assistant.

2217 1. The osteopathic physician shall submit to the Board of
 2218 Osteopathic Medicine the addresses of all offices where he or
 2219 she is supervising or has a protocol with an advanced practice
 2220 registered nurse ~~advanced registered nurse practitioner~~ or a
 2221 physician's assistant which are not the osteopathic physician's
 2222 primary practice location.

2223 2. The osteopathic physician must be board certified or
 2224 board eligible in dermatology or plastic surgery as recognized
 2225 by the Board of Osteopathic Medicine pursuant to s. 459.0152.

2226 3. All such offices that are not the osteopathic
2227 physician's primary place of practice must be within 25 miles of
2228 the osteopathic physician's primary place of practice or in a
2229 county that is contiguous to the county of the osteopathic
2230 physician's primary place of practice. However, the distance
2231 between any of the offices may not exceed 75 miles.

2232 4. The osteopathic physician may supervise only one office
2233 other than the osteopathic physician's primary place of practice
2234 except that until July 1, 2011, the osteopathic physician may
2235 supervise up to two medical offices other than the osteopathic
2236 physician's primary place of practice if the addresses of the
2237 offices are submitted to the Board of Osteopathic Medicine
2238 before July 1, 2006. Effective July 1, 2011, the osteopathic
2239 physician may supervise only one office other than the
2240 osteopathic physician's primary place of practice, regardless of
2241 when the addresses of the offices were submitted to the Board of
2242 Osteopathic Medicine.

2243 (d) An osteopathic physician who supervises an office in
2244 addition to the osteopathic physician's primary practice
2245 location must conspicuously post in each of the osteopathic
2246 physician's offices a current schedule of the regular hours when
2247 the osteopathic physician is present in that office and the
2248 hours when the office is open while the osteopathic physician is
2249 not present.

2250 (e) This subsection does not apply to health care services

2251 provided in facilities licensed under chapter 395 or in
 2252 conjunction with a college of medicine or college of nursing or
 2253 an accredited graduate medical or nursing education program;
 2254 offices where the only service being performed is hair removal
 2255 by an advanced practice registered nurse ~~advanced registered~~
 2256 ~~nurse practitioner~~ or physician assistant; not-for-profit,
 2257 family-planning clinics that are not licensed pursuant to
 2258 chapter 390; rural and federally qualified health centers;
 2259 health care services provided in a nursing home licensed under
 2260 part II of chapter 400, an assisted living facility licensed
 2261 under part I of chapter 429, a continuing care facility licensed
 2262 under chapter 651, or a retirement community consisting of
 2263 independent living units and either a licensed nursing home or
 2264 assisted living facility; anesthesia services provided in
 2265 accordance with law; health care services provided in a
 2266 designated rural health clinic; health care services provided to
 2267 persons enrolled in a program designed to maintain elderly
 2268 persons and persons with disabilities in a home or community-
 2269 based setting; university primary care student health centers;
 2270 school health clinics; or health care services provided in
 2271 federal, state, or local government facilities.

2272 Section 55. Subsection (2) of section 464.003, Florida
 2273 Statutes, is amended to read:

2274 464.003 Definitions.—As used in this part, the term:
 2275 (2) "Advanced or specialized nursing practice" means, in

2276 addition to the practice of professional nursing, the
 2277 performance of advanced-level nursing acts approved by the board
 2278 which, by virtue of postbasic specialized education, training,
 2279 and experience, are appropriately performed by an advanced
 2280 practice registered nurse ~~advanced registered nurse~~
 2281 ~~practitioner~~. Within the context of advanced or specialized
 2282 nursing practice, the advanced practice registered nurse
 2283 ~~advanced registered nurse practitioner~~ may perform acts of
 2284 nursing diagnosis and nursing treatment of alterations of the
 2285 health status. The advanced practice registered nurse ~~advanced~~
 2286 ~~registered nurse practitioner~~ may also perform acts of medical
 2287 diagnosis and treatment, prescription, and operation as
 2288 authorized within the framework of an established supervisory
 2289 protocol. The department may, by rule, require that a copy of
 2290 the protocol be filed with the department along with the notice
 2291 required by s. 458.348.

2292 Section 56. Subsection (2) of section 464.004, Florida
 2293 Statutes, is amended to read:

2294 464.004 Board of Nursing; membership; appointment; terms.—

2295 (2) Seven members of the board must be registered nurses
 2296 who are residents of this state and who have been engaged in the
 2297 practice of professional nursing for at least 4 years, including
 2298 at least one advanced practice registered nurse ~~advanced~~
 2299 ~~registered nurse practitioner~~, one nurse educator member of an
 2300 approved program, and one nurse executive. These seven board

2301 members should be representative of the diverse areas of
2302 practice within the nursing profession. In addition, three
2303 members of the board must be licensed practical nurses who are
2304 residents of this state and who have been actively engaged in
2305 the practice of practical nursing for at least 4 years prior to
2306 their appointment. The remaining three members must be residents
2307 of the state who have never been licensed as nurses and who are
2308 in no way connected with the practice of nursing. No person may
2309 be appointed as a lay member who is in any way connected with,
2310 or has any financial interest in, any health care facility,
2311 agency, or insurer. At least one member of the board must be 60
2312 years of age or older.

2313 Section 57. Paragraph (b) of subsection (3) of section
2314 464.013, Florida Statutes, is amended to read:

2315 464.013 Renewal of license or certificate.—

2316 (3) The board shall by rule prescribe up to 30 hours of
2317 continuing education biennially as a condition for renewal of a
2318 license or certificate.

2319 (b) Notwithstanding the exemption in paragraph (a), as
2320 part of the maximum 30 hours of continuing education hours
2321 required under this subsection, advanced practice registered
2322 nurses ~~advanced registered nurse practitioners~~ certified under
2323 s. 464.012 must complete at least 3 hours of continuing
2324 education on the safe and effective prescription of controlled
2325 substances. Such continuing education courses must be offered by

2326 a statewide professional association of physicians in this state
 2327 accredited to provide educational activities designated for the
 2328 American Medical Association Physician's Recognition Award
 2329 Category 1 credit, the American Nurses Credentialing Center, the
 2330 American Association of Nurse Anesthetists, or the American
 2331 Association of Nurse Practitioners and may be offered in a
 2332 distance learning format.

2333 Section 58. Subsections (8) and (9) of section 464.015,
 2334 Florida Statutes, are amended to read:

2335 464.015 Titles and abbreviations; restrictions; penalty.—

2336 (8) Only persons who hold valid certificates to practice
 2337 as advanced practice registered nurses ~~advanced registered nurse~~
 2338 ~~practitioners~~ in this state may use the title "Advanced Practice
 2339 Registered Nurse" ~~"Advanced Registered Nurse Practitioner"~~ and
 2340 the abbreviation "A.P.R.N." ~~"A.R.N.P."~~

2341 (9) A person may not practice or advertise as, or assume
 2342 the title of, registered nurse, licensed practical nurse,
 2343 clinical nurse specialist, certified registered nurse
 2344 anesthetist, certified nurse midwife, or advanced practice
 2345 registered nurse ~~advanced registered nurse practitioner~~ or use
 2346 the abbreviation "R.N.," "L.P.N.," "C.N.S.," "C.R.N.A.,"
 2347 "C.N.M.," or "A.P.R.N." ~~"A.R.N.P."~~ or take any other action that
 2348 would lead the public to believe that person was certified as
 2349 such or is performing nursing services pursuant to the exception
 2350 set forth in s. 464.022(8), unless that person is licensed or

2351 certified to practice as such.

2352 Section 59. Effective December 31, 2018, or upon enactment
 2353 of the Nurse Licensure Compact into law by 26 states, whichever
 2354 occurs first, subsections (1), (2), and (9) of section 464.015,
 2355 Florida Statutes, as amended by section 9 of chapter 2016-139,
 2356 Laws of Florida, are amended to read:

2357 464.015 Titles and abbreviations; restrictions; penalty.—

2358 (1) Only a person who holds a license in this state or a
 2359 multistate license pursuant to s. 464.0095 to practice
 2360 professional nursing or who performs nursing services pursuant
 2361 to the exception set forth in s. 464.022(8) may use the title
 2362 "Registered Nurse" and the abbreviation "R.N."

2363 (2) Only a person who holds a license in this state or a
 2364 multistate license pursuant to s. 464.0095 to practice as a
 2365 licensed practical nurse or who performs practical nursing
 2366 services pursuant to the exception set forth in s. 464.022(8)
 2367 may use the title "Licensed Practical Nurse" and the
 2368 abbreviation "L.P.N."

2369 (9) A person may not practice or advertise as, or assume
 2370 the title of, registered nurse, licensed practical nurse,
 2371 clinical nurse specialist, certified registered nurse
 2372 anesthetist, certified nurse midwife, or advanced practice
 2373 registered nurse ~~advanced registered nurse practitioner~~ or use
 2374 the abbreviation "R.N.," "L.P.N.," "C.N.S.," "C.R.N.A.,"
 2375 "C.N.M.," or "A.P.R.N." ~~"A.R.N.P."~~ or take any other action that

2376 would lead the public to believe that person was authorized by
 2377 law to practice as such or is performing nursing services
 2378 pursuant to the exception set forth in s. 464.022(8) unless that
 2379 person is licensed, certified, or authorized pursuant to s.
 2380 464.0095 to practice as such.

2381 Section 60. Paragraph (a) of subsection (2) of section
 2382 464.016, Florida Statutes, is amended to read:

2383 464.016 Violations and penalties.—

2384 (2) Each of the following acts constitutes a misdemeanor
 2385 of the first degree, punishable as provided in s. 775.082 or s.
 2386 775.083:

2387 (a) Using the name or title "Nurse," "Registered Nurse,"
 2388 "Licensed Practical Nurse," "Clinical Nurse Specialist,"
 2389 "Certified Registered Nurse Anesthetist," "Certified Nurse
 2390 Midwife," "Advanced Practice Registered Nurse," ~~"Advanced
 2391 Registered Nurse Practitioner,"~~ or any other name or title which
 2392 implies that a person was licensed or certified as same, unless
 2393 such person is duly licensed or certified.

2394 Section 61. Paragraphs (p) and (q) of subsection (1) of
 2395 section 464.018, Florida Statutes, are amended to read:

2396 464.018 Disciplinary actions.—

2397 (1) The following acts constitute grounds for denial of a
 2398 license or disciplinary action, as specified in s. 456.072(2):

2399 (p) For an advanced practice registered nurse ~~advanced
 2400 registered nurse practitioner:~~

- 2401 1. Presigning blank prescription forms.
- 2402 2. Prescribing for office use any medicinal drug appearing
2403 on Schedule II in chapter 893.
- 2404 3. Prescribing, ordering, dispensing, administering,
2405 supplying, selling, or giving a drug that is an amphetamine, a
2406 sympathomimetic amine drug, or a compound designated in s.
2407 893.03(2) as a Schedule II controlled substance, to or for any
2408 person except for:
- 2409 a. The treatment of narcolepsy; hyperkinesis; behavioral
2410 syndrome in children characterized by the developmentally
2411 inappropriate symptoms of moderate to severe distractibility,
2412 short attention span, hyperactivity, emotional lability, and
2413 impulsivity; or drug-induced brain dysfunction.
- 2414 b. The differential diagnostic psychiatric evaluation of
2415 depression or the treatment of depression shown to be refractory
2416 to other therapeutic modalities.
- 2417 c. The clinical investigation of the effects of such drugs
2418 or compounds when an investigative protocol is submitted to,
2419 reviewed by, and approved by the department before such
2420 investigation is begun.
- 2421 4. Prescribing, ordering, dispensing, administering,
2422 supplying, selling, or giving growth hormones, testosterone or
2423 its analogs, human chorionic gonadotropin (HCG), or other
2424 hormones for the purpose of muscle building or to enhance
2425 athletic performance. As used in this subparagraph, the term

2426 "muscle building" does not include the treatment of injured
 2427 muscle. A prescription written for the drug products identified
 2428 in this subparagraph may be dispensed by a pharmacist with the
 2429 presumption that the prescription is for legitimate medical use.

2430 5. Promoting or advertising on any prescription form a
 2431 community pharmacy unless the form also states: "This
 2432 prescription may be filled at any pharmacy of your choice."

2433 6. Prescribing, dispensing, administering, mixing, or
 2434 otherwise preparing a legend drug, including a controlled
 2435 substance, other than in the course of his or her professional
 2436 practice. For the purposes of this subparagraph, it is legally
 2437 presumed that prescribing, dispensing, administering, mixing, or
 2438 otherwise preparing legend drugs, including all controlled
 2439 substances, inappropriately or in excessive or inappropriate
 2440 quantities is not in the best interest of the patient and is not
 2441 in the course of the advanced practice registered nurse's
 2442 ~~advanced registered nurse practitioner's~~ professional practice,
 2443 without regard to his or her intent.

2444 7. Prescribing, dispensing, or administering a medicinal
 2445 drug appearing on any schedule set forth in chapter 893 to
 2446 himself or herself, except a drug prescribed, dispensed, or
 2447 administered to the advanced practice registered nurse ~~advanced~~
 2448 ~~registered nurse practitioner~~ by another practitioner authorized
 2449 to prescribe, dispense, or administer medicinal drugs.

2450 8. Prescribing, ordering, dispensing, administering,

2451 supplying, selling, or giving amygdalin (laetrile) to any
2452 person.

2453 9. Dispensing a substance designated in s. 893.03(2) or
2454 (3) as a substance controlled in Schedule II or Schedule III,
2455 respectively, in violation of s. 465.0276.

2456 10. Promoting or advertising through any communication
2457 medium the use, sale, or dispensing of a substance designated in
2458 s. 893.03 as a controlled substance.

2459 (q) For a psychiatric nurse:

2460 1. Presigning blank prescription forms.

2461 2. Prescribing for office use any medicinal drug appearing
2462 in Schedule II of s. 893.03.

2463 3. Prescribing, ordering, dispensing, administering,
2464 supplying, selling, or giving a drug that is an amphetamine, a
2465 sympathomimetic amine drug, or a compound designated in s.
2466 893.03(2) as a Schedule II controlled substance, to or for any
2467 person except for:

2468 a. The treatment of narcolepsy; hyperkinesis; behavioral
2469 syndrome in children characterized by the developmentally
2470 inappropriate symptoms of moderate to severe distractibility,
2471 short attention span, hyperactivity, emotional lability, and
2472 impulsivity; or drug-induced brain dysfunction.

2473 b. The differential diagnostic psychiatric evaluation of
2474 depression or the treatment of depression shown to be refractory
2475 to other therapeutic modalities.

2476 c. The clinical investigation of the effects of such drugs
2477 or compounds when an investigative protocol is submitted to,
2478 reviewed by, and approved by the department before such
2479 investigation is begun.

2480 4. Prescribing, ordering, dispensing, administering,
2481 supplying, selling, or giving growth hormones, testosterone or
2482 its analogs, human chorionic gonadotropin (HCG), or other
2483 hormones for the purpose of muscle building or to enhance
2484 athletic performance. As used in this subparagraph, the term
2485 "muscle building" does not include the treatment of injured
2486 muscle. A prescription written for the drug products identified
2487 in this subparagraph may be dispensed by a pharmacist with the
2488 presumption that the prescription is for legitimate medical use.

2489 5. Promoting or advertising on any prescription form a
2490 community pharmacy unless the form also states: "This
2491 prescription may be filled at any pharmacy of your choice."

2492 6. Prescribing, dispensing, administering, mixing, or
2493 otherwise preparing a legend drug, including a controlled
2494 substance, other than in the course of his or her professional
2495 practice. For the purposes of this subparagraph, it is legally
2496 presumed that prescribing, dispensing, administering, mixing, or
2497 otherwise preparing legend drugs, including all controlled
2498 substances, inappropriately or in excessive or inappropriate
2499 quantities is not in the best interest of the patient and is not
2500 in the course of the advanced practice registered nurse's

2501 ~~advanced registered nurse practitioner's~~ professional practice,
2502 without regard to his or her intent.

2503 7. Prescribing, dispensing, or administering a medicinal
2504 drug appearing on any schedule set forth in chapter 893 to
2505 himself or herself, except a drug prescribed, dispensed, or
2506 administered to the psychiatric nurse by another practitioner
2507 authorized to prescribe, dispense, or administer medicinal
2508 drugs.

2509 8. Prescribing, ordering, dispensing, administering,
2510 supplying, selling, or giving amygdalin (laetrile) to any
2511 person.

2512 9. Dispensing a substance designated in s. 893.03(2) or
2513 (3) as a substance controlled in Schedule II or Schedule III,
2514 respectively, in violation of s. 465.0276.

2515 10. Promoting or advertising through any communication
2516 medium the use, sale, or dispensing of a substance designated in
2517 s. 893.03 as a controlled substance.

2518 Section 62. Effective December 31, 2018, or upon enactment
2519 of the Nurse Licensure Compact into law by 26 states, whichever
2520 occurs first, subsections (1) and (2) of section 464.018,
2521 Florida Statutes, as amended by section 14 of chapter 2017-41,
2522 Laws of Florida, section 8 of chapter 2016-231, Laws of Florida,
2523 section 15 of chapter 2016-224, Laws of Florida, and section 10
2524 of chapter 2016-139, Laws of Florida, are amended to read:

2525 464.018 Disciplinary actions.—

2526 (1) The following acts constitute grounds for denial of a
 2527 license or disciplinary action, as specified in ss. 456.072(2)
 2528 and 464.0095:

2529 (a) Procuring, attempting to procure, or renewing a
 2530 license to practice nursing or the authority to practice
 2531 practical or professional nursing pursuant to s. 464.0095 by
 2532 bribery, by knowing misrepresentations, or through an error of
 2533 the department or the board.

2534 (b) Having a license to practice nursing revoked,
 2535 suspended, or otherwise acted against, including the denial of
 2536 licensure, by the licensing authority of another state,
 2537 territory, or country.

2538 (c) Being convicted or found guilty of, or entering a plea
 2539 of guilty or nolo contendere to, regardless of adjudication, a
 2540 crime in any jurisdiction which directly relates to the practice
 2541 of nursing or to the ability to practice nursing.

2542 (d) Being convicted or found guilty of, or entering a plea
 2543 of guilty or nolo contendere to, regardless of adjudication, any
 2544 of the following offenses:

- 2545 1. A forcible felony as defined in chapter 776.
- 2546 2. A violation of chapter 812, relating to theft, robbery,
 2547 and related crimes.
- 2548 3. A violation of chapter 817, relating to fraudulent
 2549 practices.
- 2550 4. A violation of chapter 800, relating to lewdness and

2551 | indecent exposure.

2552 | 5. A violation of chapter 784, relating to assault,
2553 | battery, and culpable negligence.

2554 | 6. A violation of chapter 827, relating to child abuse.

2555 | 7. A violation of chapter 415, relating to protection from
2556 | abuse, neglect, and exploitation.

2557 | 8. A violation of chapter 39, relating to child abuse,
2558 | abandonment, and neglect.

2559 | 9. For an applicant for a multistate license or for a
2560 | multistate licenseholder under s. 464.0095, a felony offense
2561 | under Florida law or federal criminal law.

2562 | (e) Having been found guilty of, regardless of
2563 | adjudication, or entered a plea of nolo contendere or guilty to,
2564 | any offense prohibited under s. 435.04 or similar statute of
2565 | another jurisdiction; or having committed an act which
2566 | constitutes domestic violence as defined in s. 741.28.

2567 | (f) Making or filing a false report or record, which the
2568 | nurse knows to be false, intentionally or negligently failing to
2569 | file a report or record required by state or federal law,
2570 | willfully impeding or obstructing such filing or inducing
2571 | another person to do so. Such reports or records shall include
2572 | only those which are signed in the nurse's capacity as a
2573 | licensed nurse.

2574 | (g) False, misleading, or deceptive advertising.

2575 | (h) Unprofessional conduct, as defined by board rule.

2576 (i) Engaging or attempting to engage in the possession,
2577 sale, or distribution of controlled substances as set forth in
2578 chapter 893, for any other than legitimate purposes authorized
2579 by this part.

2580 (j) Being unable to practice nursing with reasonable skill
2581 and safety to patients by reason of illness or use of alcohol,
2582 drugs, narcotics, or chemicals or any other type of material or
2583 as a result of any mental or physical condition. In enforcing
2584 this paragraph, the department shall have, upon a finding of the
2585 State Surgeon General or the State Surgeon General's designee
2586 that probable cause exists to believe that the nurse is unable
2587 to practice nursing because of the reasons stated in this
2588 paragraph, the authority to issue an order to compel a nurse to
2589 submit to a mental or physical examination by physicians
2590 designated by the department. If the nurse refuses to comply
2591 with such order, the department's order directing such
2592 examination may be enforced by filing a petition for enforcement
2593 in the circuit court where the nurse resides or does business.
2594 The nurse against whom the petition is filed shall not be named
2595 or identified by initials in any public court records or
2596 documents, and the proceedings shall be closed to the public.
2597 The department shall be entitled to the summary procedure
2598 provided in s. 51.011. A nurse affected by this paragraph shall
2599 at reasonable intervals be afforded an opportunity to
2600 demonstrate that she or he can resume the competent practice of

2601 nursing with reasonable skill and safety to patients.

2602 (k) Failing to report to the department any person who the
2603 nurse knows is in violation of this part or of the rules of the
2604 department or the board. However, a person who the licensee
2605 knows is unable to practice nursing with reasonable skill and
2606 safety to patients by reason of illness or use of alcohol,
2607 drugs, narcotics, chemicals, or any other type of material, or
2608 as a result of a mental or physical condition, may be reported
2609 to a consultant operating an impaired practitioner program as
2610 described in s. 456.076 rather than to the department.

2611 (l) Knowingly violating any provision of this part, a rule
2612 of the board or the department, or a lawful order of the board
2613 or department previously entered in a disciplinary proceeding or
2614 failing to comply with a lawfully issued subpoena of the
2615 department.

2616 (m) Failing to report to the department any licensee under
2617 chapter 458 or under chapter 459 who the nurse knows has
2618 violated the grounds for disciplinary action set out in the law
2619 under which that person is licensed and who provides health care
2620 services in a facility licensed under chapter 395, or a health
2621 maintenance organization certificated under part I of chapter
2622 641, in which the nurse also provides services.

2623 (n) Failing to meet minimal standards of acceptable and
2624 prevailing nursing practice, including engaging in acts for
2625 which the nurse is not qualified by training or experience.

2626 (o) Violating any provision of this chapter or chapter
 2627 456, or any rules adopted pursuant thereto.

2628 (p) For an advanced practice registered nurse ~~advanced~~
 2629 ~~registered nurse practitioner~~:

2630 1. Presigning blank prescription forms.

2631 2. Prescribing for office use any medicinal drug appearing
 2632 on Schedule II in chapter 893.

2633 3. Prescribing, ordering, dispensing, administering,
 2634 supplying, selling, or giving a drug that is an amphetamine, a
 2635 sympathomimetic amine drug, or a compound designated in s.
 2636 893.03(2) as a Schedule II controlled substance, to or for any
 2637 person except for:

2638 a. The treatment of narcolepsy; hyperkinesis; behavioral
 2639 syndrome in children characterized by the developmentally
 2640 inappropriate symptoms of moderate to severe distractibility,
 2641 short attention span, hyperactivity, emotional lability, and
 2642 impulsivity; or drug-induced brain dysfunction.

2643 b. The differential diagnostic psychiatric evaluation of
 2644 depression or the treatment of depression shown to be refractory
 2645 to other therapeutic modalities.

2646 c. The clinical investigation of the effects of such drugs
 2647 or compounds when an investigative protocol is submitted to,
 2648 reviewed by, and approved by the department before such
 2649 investigation is begun.

2650 4. Prescribing, ordering, dispensing, administering,

2651 supplying, selling, or giving growth hormones, testosterone or
2652 its analogs, human chorionic gonadotropin (HCG), or other
2653 hormones for the purpose of muscle building or to enhance
2654 athletic performance. As used in this subparagraph, the term
2655 "muscle building" does not include the treatment of injured
2656 muscle. A prescription written for the drug products identified
2657 in this subparagraph may be dispensed by a pharmacist with the
2658 presumption that the prescription is for legitimate medical use.

2659 5. Promoting or advertising on any prescription form a
2660 community pharmacy unless the form also states: "This
2661 prescription may be filled at any pharmacy of your choice."

2662 6. Prescribing, dispensing, administering, mixing, or
2663 otherwise preparing a legend drug, including a controlled
2664 substance, other than in the course of his or her professional
2665 practice. For the purposes of this subparagraph, it is legally
2666 presumed that prescribing, dispensing, administering, mixing, or
2667 otherwise preparing legend drugs, including all controlled
2668 substances, inappropriately or in excessive or inappropriate
2669 quantities is not in the best interest of the patient and is not
2670 in the course of the advanced practice registered nurse's
2671 ~~advanced registered nurse practitioner's~~ professional practice,
2672 without regard to his or her intent.

2673 7. Prescribing, dispensing, or administering a medicinal
2674 drug appearing on any schedule set forth in chapter 893 to
2675 himself or herself, except a drug prescribed, dispensed, or

2676 administered to the advanced practice registered nurse ~~advanced~~
 2677 ~~registered nurse practitioner~~ by another practitioner authorized
 2678 to prescribe, dispense, or administer medicinal drugs.

2679 8. Prescribing, ordering, dispensing, administering,
 2680 supplying, selling, or giving amygdalin (laetrile) to any
 2681 person.

2682 9. Dispensing a substance designated in s. 893.03(2) or
 2683 (3) as a substance controlled in Schedule II or Schedule III,
 2684 respectively, in violation of s. 465.0276.

2685 10. Promoting or advertising through any communication
 2686 medium the use, sale, or dispensing of a substance designated in
 2687 s. 893.03 as a controlled substance.

2688 (q) For a psychiatric nurse:

2689 1. Presigning blank prescription forms.

2690 2. Prescribing for office use any medicinal drug appearing
 2691 in Schedule II of s. 893.03.

2692 3. Prescribing, ordering, dispensing, administering,
 2693 supplying, selling, or giving a drug that is an amphetamine, a
 2694 sympathomimetic amine drug, or a compound designated in s.
 2695 893.03(2) as a Schedule II controlled substance, to or for any
 2696 person except for:

2697 a. The treatment of narcolepsy; hyperkinesis; behavioral
 2698 syndrome in children characterized by the developmentally
 2699 inappropriate symptoms of moderate to severe distractibility,
 2700 short attention span, hyperactivity, emotional lability, and

2701 | impulsivity; or drug-induced brain dysfunction.

2702 | b. The differential diagnostic psychiatric evaluation of
2703 | depression or the treatment of depression shown to be refractory
2704 | to other therapeutic modalities.

2705 | c. The clinical investigation of the effects of such drugs
2706 | or compounds when an investigative protocol is submitted to,
2707 | reviewed by, and approved by the department before such
2708 | investigation is begun.

2709 | 4. Prescribing, ordering, dispensing, administering,
2710 | supplying, selling, or giving growth hormones, testosterone or
2711 | its analogs, human chorionic gonadotropin (HCG), or other
2712 | hormones for the purpose of muscle building or to enhance
2713 | athletic performance. As used in this subparagraph, the term
2714 | "muscle building" does not include the treatment of injured
2715 | muscle. A prescription written for the drug products identified
2716 | in this subparagraph may be dispensed by a pharmacist with the
2717 | presumption that the prescription is for legitimate medical use.

2718 | 5. Promoting or advertising on any prescription form a
2719 | community pharmacy unless the form also states: "This
2720 | prescription may be filled at any pharmacy of your choice."

2721 | 6. Prescribing, dispensing, administering, mixing, or
2722 | otherwise preparing a legend drug, including a controlled
2723 | substance, other than in the course of his or her professional
2724 | practice. For the purposes of this subparagraph, it is legally
2725 | presumed that prescribing, dispensing, administering, mixing, or

2726 otherwise preparing legend drugs, including all controlled
 2727 substances, inappropriately or in excessive or inappropriate
 2728 quantities is not in the best interest of the patient and is not
 2729 in the course of the advanced practice registered nurse's
 2730 ~~advanced registered nurse practitioner's~~ professional practice,
 2731 without regard to his or her intent.

2732 7. Prescribing, dispensing, or administering a medicinal
 2733 drug appearing on any schedule set forth in chapter 893 to
 2734 himself or herself, except a drug prescribed, dispensed, or
 2735 administered to the psychiatric nurse by another practitioner
 2736 authorized to prescribe, dispense, or administer medicinal
 2737 drugs.

2738 8. Prescribing, ordering, dispensing, administering,
 2739 supplying, selling, or giving amygdalin (laetrile) to any
 2740 person.

2741 9. Dispensing a substance designated in s. 893.03(2) or
 2742 (3) as a substance controlled in Schedule II or Schedule III,
 2743 respectively, in violation of s. 465.0276.

2744 10. Promoting or advertising through any communication
 2745 medium the use, sale, or dispensing of a substance designated in
 2746 s. 893.03 as a controlled substance.

2747 (2) (a) The board may enter an order denying licensure or
 2748 imposing any of the penalties in s. 456.072(2) against any
 2749 applicant for licensure or nurse who is found guilty of
 2750 violating subsection (1) or s. 456.072(1).

2751 (b) The board may take adverse action against a nurse's
 2752 multistate licensure privilege and impose any of the penalties
 2753 in s. 456.072(2) when the nurse is found guilty of violating
 2754 subsection (1) or s. 456.072(1).

2755 Section 63. Paragraph (a) of subsection (4) of section
 2756 464.0205, Florida Statutes, is amended to read:

2757 464.0205 Retired volunteer nurse certificate.—

2758 (4) A retired volunteer nurse receiving certification from
 2759 the board shall:

2760 (a) Work under the direct supervision of the director of a
 2761 county health department, a physician working under a limited
 2762 license issued pursuant to s. 458.317 or s. 459.0075, a
 2763 physician licensed under chapter 458 or chapter 459, an advanced
 2764 practice registered nurse ~~advanced registered nurse practitioner~~
 2765 certified under s. 464.012, or a registered nurse licensed under
 2766 s. 464.008 or s. 464.009.

2767 Section 64. Subsection (2) of section 467.003, Florida
 2768 Statutes, is amended to read:

2769 467.003 Definitions.—As used in this chapter, unless the
 2770 context otherwise requires:

2771 (2) "Certified nurse midwife" means a person who is
 2772 licensed as an advanced practice registered nurse ~~advanced~~
 2773 ~~registered nurse practitioner~~ under part I of chapter 464 and
 2774 who is certified to practice midwifery by the American College
 2775 of Nurse Midwives.

2776 Section 65. Subsection (1) of section 480.0475, Florida
 2777 Statutes, is amended to read:

2778 480.0475 Massage establishments; prohibited practices.—

2779 (1) A person may not operate a massage establishment
 2780 between the hours of midnight and 5 a.m. This subsection does
 2781 not apply to a massage establishment:

2782 (a) Located on the premises of a health care facility as
 2783 defined in s. 408.07; a health care clinic as defined in s.
 2784 400.9905(4); a hotel, motel, or bed and breakfast inn, as those
 2785 terms are defined in s. 509.242; a timeshare property as defined
 2786 in s. 721.05; a public airport as defined in s. 330.27; or a
 2787 pari-mutuel facility as defined in s. 550.002;

2788 (b) In which every massage performed between the hours of
 2789 midnight and 5 a.m. is performed by a massage therapist acting
 2790 under the prescription of a physician or physician assistant
 2791 licensed under chapter 458, an osteopathic physician or
 2792 physician assistant licensed under chapter 459, a chiropractic
 2793 physician licensed under chapter 460, a podiatric physician
 2794 licensed under chapter 461, an advanced practice registered
 2795 nurse ~~advanced registered nurse practitioner~~ licensed under part
 2796 I of chapter 464, or a dentist licensed under chapter 466; or

2797 (c) Operating during a special event if the county or
 2798 municipality in which the establishment operates has approved
 2799 such operation during the special event.

2800 Section 66. Subsection (7) of section 483.041, Florida

2801 Statutes, is amended to read:

2802 483.041 Definitions.—As used in this part, the term:

2803 (7) "Licensed practitioner" means a physician licensed
 2804 under chapter 458, chapter 459, chapter 460, or chapter 461; a
 2805 certified optometrist licensed under chapter 463; a dentist
 2806 licensed under chapter 466; a person licensed under chapter 462;
 2807 a consultant pharmacist or doctor of pharmacy licensed under
 2808 chapter 465; or an advanced practice registered nurse ~~advanced~~
 2809 ~~registered nurse practitioner~~ licensed under part I of chapter
 2810 464; or a duly licensed practitioner from another state licensed
 2811 under similar statutes who orders examinations on materials or
 2812 specimens for nonresidents of the State of Florida, but who
 2813 reside in the same state as the requesting licensed
 2814 practitioner.

2815 Section 67. Subsection (5) of section 483.801, Florida
 2816 Statutes, is amended to read:

2817 483.801 Exemptions.—This part applies to all clinical
 2818 laboratories and clinical laboratory personnel within this
 2819 state, except:

2820 (5) Advanced practice registered nurses ~~advanced~~
 2821 ~~registered nurse practitioners~~ licensed under part I of chapter
 2822 464 who perform provider-performed microscopy procedures (PPMP)
 2823 in an exclusive-use laboratory setting.

2824 Section 68. Paragraph (a) of subsection (11) of section
 2825 486.021, Florida Statutes, is amended to read:

2826 486.021 Definitions.—In this chapter, unless the context
 2827 otherwise requires, the term:

2828 (11) "Practice of physical therapy" means the performance
 2829 of physical therapy assessments and the treatment of any
 2830 disability, injury, disease, or other health condition of human
 2831 beings, or the prevention of such disability, injury, disease,
 2832 or other condition of health, and rehabilitation as related
 2833 thereto by the use of the physical, chemical, and other
 2834 properties of air; electricity; exercise; massage; the
 2835 performance of acupuncture only upon compliance with the
 2836 criteria set forth by the Board of Medicine, when no penetration
 2837 of the skin occurs; the use of radiant energy, including
 2838 ultraviolet, visible, and infrared rays; ultrasound; water; the
 2839 use of apparatus and equipment in the application of the
 2840 foregoing or related thereto; the performance of tests of
 2841 neuromuscular functions as an aid to the diagnosis or treatment
 2842 of any human condition; or the performance of electromyography
 2843 as an aid to the diagnosis of any human condition only upon
 2844 compliance with the criteria set forth by the Board of Medicine.

2845 (a) A physical therapist may implement a plan of treatment
 2846 developed by the physical therapist for a patient or provided
 2847 for a patient by a practitioner of record or by an advanced
 2848 practice registered nurse ~~advanced registered nurse practitioner~~
 2849 licensed under s. 464.012. The physical therapist shall refer
 2850 the patient to or consult with a practitioner of record if the

2851 patient's condition is found to be outside the scope of physical
2852 therapy. If physical therapy treatment for a patient is required
2853 beyond 30 days for a condition not previously assessed by a
2854 practitioner of record, the physical therapist shall have a
2855 practitioner of record review and sign the plan. The requirement
2856 that a physical therapist have a practitioner of record review
2857 and sign a plan of treatment does not apply when a patient has
2858 been physically examined by a physician licensed in another
2859 state, the patient has been diagnosed by the physician as having
2860 a condition for which physical therapy is required, and the
2861 physical therapist is treating the condition. For purposes of
2862 this paragraph, a health care practitioner licensed under
2863 chapter 458, chapter 459, chapter 460, chapter 461, or chapter
2864 466 and engaged in active practice is eligible to serve as a
2865 practitioner of record.

2866 Section 69. Paragraph (d) of subsection (1) of section
2867 490.012, Florida Statutes, is amended to read:

2868 490.012 Violations; penalties; injunction.-

2869 (1)

2870 (d) A person may not ~~No person shall~~ hold herself or
2871 himself out by any title or description incorporating the word,
2872 or a permutation of the word, "psychotherapy" unless such person
2873 holds a valid, active license under chapter 458, chapter 459,
2874 chapter 490, or chapter 491, or such person is certified as an
2875 advanced practice registered nurse ~~advanced registered nurse~~

2876 ~~practitioner~~, pursuant to s. 464.012, who has been determined by
2877 the Board of Nursing as a specialist in psychiatric mental
2878 health.

2879 Section 70. Subsection (1) of section 491.0057, Florida
2880 Statutes, is amended to read:

2881 491.0057 Dual licensure as a marriage and family
2882 therapist.—The department shall license as a marriage and family
2883 therapist any person who demonstrates to the board that he or
2884 she:

2885 (1) Holds a valid, active license as a psychologist under
2886 chapter 490 or as a clinical social worker or mental health
2887 counselor under this chapter, or is certified under s. 464.012
2888 as an advanced practice registered nurse ~~advanced registered~~
2889 ~~nurse practitioner~~ who has been determined by the Board of
2890 Nursing as a specialist in psychiatric mental health.

2891 Section 71. Paragraph (d) of subsection (1) and subsection
2892 (2) of section 491.012, Florida Statutes, are amended to read:

2893 491.012 Violations; penalty; injunction.—

2894 (1) It is unlawful and a violation of this chapter for any
2895 person to:

2896 (d) Use the terms psychotherapist, sex therapist, or
2897 juvenile sexual offender therapist unless such person is
2898 licensed pursuant to this chapter or chapter 490, or is
2899 certified under s. 464.012 as an advanced practice registered
2900 nurse ~~advanced registered nurse practitioner~~ who has been

2901 determined by the Board of Nursing as a specialist in
 2902 psychiatric mental health and the use of such terms is within
 2903 the scope of her or his practice based on education, training,
 2904 and licensure.

2905 (2) It is unlawful and a violation of this chapter for any
 2906 person to describe her or his services using the following terms
 2907 or any derivative thereof, unless such person holds a valid,
 2908 active license under this chapter or chapter 490, or is
 2909 certified under s. 464.012 as an advanced practice registered
 2910 nurse ~~advanced registered nurse practitioner~~ who has been
 2911 determined by the Board of Nursing as a specialist in
 2912 psychiatric mental health and the use of such terms is within
 2913 the scope of her or his practice based on education, training,
 2914 and licensure:

- 2915 (a) "Psychotherapy."
- 2916 (b) "Sex therapy."
- 2917 (c) "Sex counseling."
- 2918 (d) "Clinical social work."
- 2919 (e) "Psychiatric social work."
- 2920 (f) "Marriage and family therapy."
- 2921 (g) "Marriage and family counseling."
- 2922 (h) "Marriage counseling."
- 2923 (i) "Family counseling."
- 2924 (j) "Mental health counseling."

2925 Section 72. Subsection (2) of section 493.6108, Florida

2926 Statutes, is amended to read:

2927 493.6108 Investigation of applicants by Department of
2928 Agriculture and Consumer Services.—

2929 (2) In addition to subsection (1), the department shall
2930 make an investigation of the general physical fitness of the
2931 Class "G" applicant to bear a weapon or firearm. Determination
2932 of physical fitness shall be certified by a physician or
2933 physician assistant currently licensed pursuant to chapter 458,
2934 chapter 459, or any similar law of another state or authorized
2935 to act as a licensed physician by a federal agency or department
2936 or by an advanced practice registered nurse ~~advanced registered~~
2937 ~~nurse-practitioner~~ currently licensed pursuant to chapter 464.
2938 Such certification shall be submitted on a form provided by the
2939 department.

2940 Section 73. Paragraph (b) of subsection (1) of section
2941 627.357, Florida Statutes, is amended to read:

2942 627.357 Medical malpractice self-insurance.—

2943 (1) DEFINITIONS.—As used in this section, the term:

2944 (b) "Health care provider" means any:

2945 1. Hospital licensed under chapter 395.

2946 2. Physician licensed, or physician assistant licensed,
2947 under chapter 458.

2948 3. Osteopathic physician or physician assistant licensed
2949 under chapter 459.

2950 4. Podiatric physician licensed under chapter 461.

- 2951 5. Health maintenance organization certificated under part
 2952 I of chapter 641.
- 2953 6. Ambulatory surgical center licensed under chapter 395.
- 2954 7. Chiropractic physician licensed under chapter 460.
- 2955 8. Psychologist licensed under chapter 490.
- 2956 9. Optometrist licensed under chapter 463.
- 2957 10. Dentist licensed under chapter 466.
- 2958 11. Pharmacist licensed under chapter 465.
- 2959 12. Registered nurse, licensed practical nurse, or
 2960 advanced practice registered nurse ~~advanced registered nurse~~
 2961 ~~practitioner~~ licensed or registered under part I of chapter 464.
- 2962 13. Other medical facility.
- 2963 14. Professional association, partnership, corporation,
 2964 joint venture, or other association established by the
 2965 individuals set forth in subparagraphs 2., 3., 4., 7., 8., 9.,
 2966 10., 11., and 12. for professional activity.
- 2967 Section 74. Subsection (6) of section 627.6471, Florida
 2968 Statutes, is amended to read:
- 2969 627.6471 Contracts for reduced rates of payment;
 2970 limitations; coinsurance and deductibles.—
- 2971 (6) If psychotherapeutic services are covered by a policy
 2972 issued by the insurer, the insurer shall provide eligibility
 2973 criteria for each group of health care providers licensed under
 2974 chapter 458, chapter 459, chapter 490, or chapter 491, which
 2975 include psychotherapy within the scope of their practice as

2976 | provided by law, or for any person who is certified as an
 2977 | advanced practice registered nurse ~~advanced registered nurse~~
 2978 | ~~practitioner~~ in psychiatric mental health under s. 464.012. When
 2979 | psychotherapeutic services are covered, eligibility criteria
 2980 | shall be established by the insurer to be included in the
 2981 | insurer's criteria for selection of network providers. The
 2982 | insurer may not discriminate against a health care provider by
 2983 | excluding such practitioner from its provider network solely on
 2984 | the basis of the practitioner's license.

2985 | Section 75. Subsections (15) and (17) of section 627.6472,
 2986 | Florida Statutes, are amended to read:

2987 | 627.6472 Exclusive provider organizations.—

2988 | (15) If psychotherapeutic services are covered by a policy
 2989 | issued by the insurer, the insurer shall provide eligibility
 2990 | criteria for all groups of health care providers licensed under
 2991 | chapter 458, chapter 459, chapter 490, or chapter 491, which
 2992 | include psychotherapy within the scope of their practice as
 2993 | provided by law, or for any person who is certified as an
 2994 | advanced practice registered nurse ~~advanced registered nurse~~
 2995 | ~~practitioner~~ in psychiatric mental health under s. 464.012. When
 2996 | psychotherapeutic services are covered, eligibility criteria
 2997 | shall be established by the insurer to be included in the
 2998 | insurer's criteria for selection of network providers. The
 2999 | insurer may not discriminate against a health care provider by
 3000 | excluding such practitioner from its provider network solely on

3001 the basis of the practitioner's license.

3002 (17) An exclusive provider organization shall not
 3003 discriminate with respect to participation as to any advanced
 3004 practice registered nurse ~~advanced registered nurse practitioner~~
 3005 licensed and certified pursuant to s. 464.012, who is acting
 3006 within the scope of such license and certification, solely on
 3007 the basis of such license or certification. This subsection
 3008 shall not be construed to prohibit a plan from including
 3009 providers only to the extent necessary to meet the needs of the
 3010 plan's enrollees or from establishing any measure designed to
 3011 maintain quality and control costs consistent with the
 3012 responsibilities of the plan.

3013 Section 76. Paragraph (a) of subsection (1) of section
 3014 627.736, Florida Statutes, is amended to read:

3015 627.736 Required personal injury protection benefits;
 3016 exclusions; priority; claims.—

3017 (1) REQUIRED BENEFITS.—An insurance policy complying with
 3018 the security requirements of s. 627.733 must provide personal
 3019 injury protection to the named insured, relatives residing in
 3020 the same household, persons operating the insured motor vehicle,
 3021 passengers in the motor vehicle, and other persons struck by the
 3022 motor vehicle and suffering bodily injury while not an occupant
 3023 of a self-propelled vehicle, subject to subsection (2) and
 3024 paragraph (4) (e), to a limit of \$10,000 in medical and
 3025 disability benefits and \$5,000 in death benefits resulting from

3026 | bodily injury, sickness, disease, or death arising out of the
3027 | ownership, maintenance, or use of a motor vehicle as follows:

3028 | (a) *Medical benefits.*—Eighty percent of all reasonable
3029 | expenses for medically necessary medical, surgical, X-ray,
3030 | dental, and rehabilitative services, including prosthetic
3031 | devices and medically necessary ambulance, hospital, and nursing
3032 | services if the individual receives initial services and care
3033 | pursuant to subparagraph 1. within 14 days after the motor
3034 | vehicle accident. The medical benefits provide reimbursement
3035 | only for:

3036 | 1. Initial services and care that are lawfully provided,
3037 | supervised, ordered, or prescribed by a physician licensed under
3038 | chapter 458 or chapter 459, a dentist licensed under chapter
3039 | 466, or a chiropractic physician licensed under chapter 460 or
3040 | that are provided in a hospital or in a facility that owns, or
3041 | is wholly owned by, a hospital. Initial services and care may
3042 | also be provided by a person or entity licensed under part III
3043 | of chapter 401 which provides emergency transportation and
3044 | treatment.

3045 | 2. Upon referral by a provider described in subparagraph
3046 | 1., followup services and care consistent with the underlying
3047 | medical diagnosis rendered pursuant to subparagraph 1. which may
3048 | be provided, supervised, ordered, or prescribed only by a
3049 | physician licensed under chapter 458 or chapter 459, a
3050 | chiropractic physician licensed under chapter 460, a dentist

3051 licensed under chapter 466, or, to the extent permitted by
3052 applicable law and under the supervision of such physician,
3053 osteopathic physician, chiropractic physician, or dentist, by a
3054 physician assistant licensed under chapter 458 or chapter 459 or
3055 an advanced practice registered nurse ~~advanced registered nurse~~
3056 ~~practitioner~~ licensed under chapter 464. Followup services and
3057 care may also be provided by the following persons or entities:
3058 a. A hospital or ambulatory surgical center licensed under
3059 chapter 395.
3060 b. An entity wholly owned by one or more physicians
3061 licensed under chapter 458 or chapter 459, chiropractic
3062 physicians licensed under chapter 460, or dentists licensed
3063 under chapter 466 or by such practitioners and the spouse,
3064 parent, child, or sibling of such practitioners.
3065 c. An entity that owns or is wholly owned, directly or
3066 indirectly, by a hospital or hospitals.
3067 d. A physical therapist licensed under chapter 486, based
3068 upon a referral by a provider described in this subparagraph.
3069 e. A health care clinic licensed under part X of chapter
3070 400 which is accredited by an accrediting organization whose
3071 standards incorporate comparable regulations required by this
3072 state, or
3073 (I) Has a medical director licensed under chapter 458,
3074 chapter 459, or chapter 460;
3075 (II) Has been continuously licensed for more than 3 years

3076 or is a publicly traded corporation that issues securities
 3077 traded on an exchange registered with the United States
 3078 Securities and Exchange Commission as a national securities
 3079 exchange; and

3080 (III) Provides at least four of the following medical
 3081 specialties:

- 3082 (A) General medicine.
- 3083 (B) Radiography.
- 3084 (C) Orthopedic medicine.
- 3085 (D) Physical medicine.
- 3086 (E) Physical therapy.
- 3087 (F) Physical rehabilitation.
- 3088 (G) Prescribing or dispensing outpatient prescription
 3089 medication.
- 3090 (H) Laboratory services.

3091 3. Reimbursement for services and care provided in
 3092 subparagraph 1. or subparagraph 2. up to \$10,000 if a physician
 3093 licensed under chapter 458 or chapter 459, a dentist licensed
 3094 under chapter 466, a physician assistant licensed under chapter
 3095 458 or chapter 459, or an advanced practice registered nurse
 3096 ~~advanced registered nurse practitioner~~ licensed under chapter
 3097 464 has determined that the injured person had an emergency
 3098 medical condition.

3099 4. Reimbursement for services and care provided in
 3100 subparagraph 1. or subparagraph 2. is limited to \$2,500 if a

3101 provider listed in subparagraph 1. or subparagraph 2. determines
 3102 that the injured person did not have an emergency medical
 3103 condition.

3104 5. Medical benefits do not include massage as defined in
 3105 s. 480.033 or acupuncture as defined in s. 457.102, regardless
 3106 of the person, entity, or licensee providing massage or
 3107 acupuncture, and a licensed massage therapist or licensed
 3108 acupuncturist may not be reimbursed for medical benefits under
 3109 this section.

3110 6. The Financial Services Commission shall adopt by rule
 3111 the form that must be used by an insurer and a health care
 3112 provider specified in sub-subparagraph 2.b., sub-subparagraph
 3113 2.c., or sub-subparagraph 2.e. to document that the health care
 3114 provider meets the criteria of this paragraph. Such rule must
 3115 include a requirement for a sworn statement or affidavit.

3116
 3117 Only insurers writing motor vehicle liability insurance in this
 3118 state may provide the required benefits of this section, and
 3119 such insurer may not require the purchase of any other motor
 3120 vehicle coverage other than the purchase of property damage
 3121 liability coverage as required by s. 627.7275 as a condition for
 3122 providing such benefits. Insurers may not require that property
 3123 damage liability insurance in an amount greater than \$10,000 be
 3124 purchased in conjunction with personal injury protection. Such
 3125 insurers shall make benefits and required property damage

3126 liability insurance coverage available through normal marketing
 3127 channels. An insurer writing motor vehicle liability insurance
 3128 in this state who fails to comply with such availability
 3129 requirement as a general business practice violates part IX of
 3130 chapter 626, and such violation constitutes an unfair method of
 3131 competition or an unfair or deceptive act or practice involving
 3132 the business of insurance. An insurer committing such violation
 3133 is subject to the penalties provided under that part, as well as
 3134 those provided elsewhere in the insurance code.

3135 Section 77. Subsection (5) of section 633.412, Florida
 3136 Statutes, is amended to read:

3137 633.412 Firefighters; qualifications for certification.—A
 3138 person applying for certification as a firefighter must:

3139 (5) Be in good physical condition as determined by a
 3140 medical examination given by a physician, surgeon, or physician
 3141 assistant licensed to practice in the state pursuant to chapter
 3142 458; an osteopathic physician, surgeon, or physician assistant
 3143 licensed to practice in the state pursuant to chapter 459; or an
 3144 advanced practice registered nurse ~~advanced registered nurse~~
 3145 ~~practitioner~~ licensed to practice in the state pursuant to
 3146 chapter 464. Such examination may include, but need not be
 3147 limited to, the National Fire Protection Association Standard
 3148 1582. A medical examination evidencing good physical condition
 3149 shall be submitted to the division, on a form as provided by
 3150 rule, before an individual is eligible for admission into a

3151 course under s. 633.408.

3152 Section 78. Section 641.3923, Florida Statutes, is amended
3153 to read:

3154 641.3923 Discrimination against providers prohibited.—A
3155 health maintenance organization may ~~shall~~ not discriminate with
3156 respect to participation as to any advanced practice registered
3157 nurse ~~advanced registered nurse practitioner~~ licensed and
3158 certified pursuant to s. 464.012, who is acting within the scope
3159 of such license and certification, solely on the basis of such
3160 license or certification. This section may ~~shall~~ not be
3161 construed to prohibit a plan from including providers only to
3162 the extent necessary to meet the needs of the plan's enrollees
3163 or from establishing any measure designed to maintain quality
3164 and control costs consistent with the responsibilities of the
3165 plan.

3166 Section 79. Subsection (3) of section 766.103, Florida
3167 Statutes, is amended to read:

3168 766.103 Florida Medical Consent Law.—

3169 (3) No recovery shall be allowed in any court in this
3170 state against any physician licensed under chapter 458,
3171 osteopathic physician licensed under chapter 459, chiropractic
3172 physician licensed under chapter 460, podiatric physician
3173 licensed under chapter 461, dentist licensed under chapter 466,
3174 advanced practice registered nurse ~~advanced registered nurse~~
3175 ~~practitioner~~ certified under s. 464.012, or physician assistant

3176 licensed under s. 458.347 or s. 459.022 in an action brought for
 3177 treating, examining, or operating on a patient without his or
 3178 her informed consent when:

3179 (a)1. The action of the physician, osteopathic physician,
 3180 chiropractic physician, podiatric physician, dentist, advanced
 3181 practice registered nurse ~~advanced registered nurse~~
 3182 ~~practitioner~~, or physician assistant in obtaining the consent of
 3183 the patient or another person authorized to give consent for the
 3184 patient was in accordance with an accepted standard of medical
 3185 practice among members of the medical profession with similar
 3186 training and experience in the same or similar medical community
 3187 as that of the person treating, examining, or operating on the
 3188 patient for whom the consent is obtained; and

3189 2. A reasonable individual, from the information provided
 3190 by the physician, osteopathic physician, chiropractic physician,
 3191 podiatric physician, dentist, advanced practice registered nurse
 3192 ~~advanced registered nurse practitioner~~, or physician assistant,
 3193 under the circumstances, would have a general understanding of
 3194 the procedure, the medically acceptable alternative procedures
 3195 or treatments, and the substantial risks and hazards inherent in
 3196 the proposed treatment or procedures, which are recognized among
 3197 other physicians, osteopathic physicians, chiropractic
 3198 physicians, podiatric physicians, or dentists in the same or
 3199 similar community who perform similar treatments or procedures;
 3200 or

3201 (b) The patient would reasonably, under all the
 3202 surrounding circumstances, have undergone such treatment or
 3203 procedure had he or she been advised by the physician,
 3204 osteopathic physician, chiropractic physician, podiatric
 3205 physician, dentist, advanced practice registered nurse ~~advanced~~
 3206 ~~registered nurse practitioner~~, or physician assistant in
 3207 accordance with the provisions of paragraph (a).

3208 Section 80. Paragraph (d) of subsection (3) of section
 3209 766.1115, Florida Statutes, is amended to read:

3210 766.1115 Health care providers; creation of agency
 3211 relationship with governmental contractors.—

3212 (3) DEFINITIONS.—As used in this section, the term:

3213 (d) "Health care provider" or "provider" means:

- 3214 1. A birth center licensed under chapter 383.
- 3215 2. An ambulatory surgical center licensed under chapter
 3216 395.
- 3217 3. A hospital licensed under chapter 395.
- 3218 4. A physician or physician assistant licensed under
 3219 chapter 458.
- 3220 5. An osteopathic physician or osteopathic physician
 3221 assistant licensed under chapter 459.
- 3222 6. A chiropractic physician licensed under chapter 460.
- 3223 7. A podiatric physician licensed under chapter 461.
- 3224 8. A registered nurse, nurse midwife, licensed practical
 3225 nurse, or advanced practice registered nurse ~~advanced registered~~

3226 ~~nurse-practitioner~~ licensed or registered under part I of
3227 chapter 464 or any facility which employs nurses licensed or
3228 registered under part I of chapter 464 to supply all or part of
3229 the care delivered under this section.

3230 9. A midwife licensed under chapter 467.

3231 10. A health maintenance organization certificated under
3232 part I of chapter 641.

3233 11. A health care professional association and its
3234 employees or a corporate medical group and its employees.

3235 12. Any other medical facility the primary purpose of
3236 which is to deliver human medical diagnostic services or which
3237 delivers nonsurgical human medical treatment, and which includes
3238 an office maintained by a provider.

3239 13. A dentist or dental hygienist licensed under chapter
3240 466.

3241 14. A free clinic that delivers only medical diagnostic
3242 services or nonsurgical medical treatment free of charge to all
3243 low-income recipients.

3244 15. Any other health care professional, practitioner,
3245 provider, or facility under contract with a governmental
3246 contractor, including a student enrolled in an accredited
3247 program that prepares the student for licensure as any one of
3248 the professionals listed in subparagraphs 4.-9.

3249
3250 The term includes any nonprofit corporation qualified as exempt

3251 from federal income taxation under s. 501(a) of the Internal
 3252 Revenue Code, and described in s. 501(c) of the Internal Revenue
 3253 Code, which delivers health care services provided by licensed
 3254 professionals listed in this paragraph, any federally funded
 3255 community health center, and any volunteer corporation or
 3256 volunteer health care provider that delivers health care
 3257 services.

3258 Section 81. Subsection (1) of section 766.1116, Florida
 3259 Statutes, is amended to read:

3260 766.1116 Health care practitioner; waiver of license
 3261 renewal fees and continuing education requirements.—

3262 (1) As used in this section, the term "health care
 3263 practitioner" means a physician or physician assistant licensed
 3264 under chapter 458; an osteopathic physician or physician
 3265 assistant licensed under chapter 459; a chiropractic physician
 3266 licensed under chapter 460; a podiatric physician licensed under
 3267 chapter 461; an advanced practice registered nurse ~~advanced~~
 3268 ~~registered nurse practitioner~~, registered nurse, or licensed
 3269 practical nurse licensed under part I of chapter 464; a dentist
 3270 or dental hygienist licensed under chapter 466; or a midwife
 3271 licensed under chapter 467, who participates as a health care
 3272 provider under s. 766.1115.

3273 Section 82. Subsection (5) of section 794.08, Florida
 3274 Statutes, is amended to read:

3275 794.08 Female genital mutilation.—

3276 (5) This section does not apply to procedures performed by
 3277 or under the direction of a physician licensed under chapter
 3278 458, an osteopathic physician licensed under chapter 459, a
 3279 registered nurse licensed under part I of chapter 464, a
 3280 practical nurse licensed under part I of chapter 464, an
 3281 advanced practice registered nurse ~~advanced registered nurse~~
 3282 ~~practitioner~~ licensed under part I of chapter 464, a midwife
 3283 licensed under chapter 467, or a physician assistant licensed
 3284 under chapter 458 or chapter 459 when necessary to preserve the
 3285 physical health of a female person. This section also does not
 3286 apply to any autopsy or limited dissection conducted pursuant to
 3287 chapter 406.

3288 Section 83. Subsection (23) of section 893.02, Florida
 3289 Statutes, is amended to read:

3290 893.02 Definitions.—The following words and phrases as
 3291 used in this chapter shall have the following meanings, unless
 3292 the context otherwise requires:

3293 (23) "Practitioner" means a physician licensed under
 3294 chapter 458, a dentist licensed under chapter 466, a
 3295 veterinarian licensed under chapter 474, an osteopathic
 3296 physician licensed under chapter 459, an advanced practice
 3297 registered nurse ~~advanced registered nurse practitioner~~
 3298 certified under chapter 464, a naturopath licensed under chapter
 3299 462, a certified optometrist licensed under chapter 463, a
 3300 psychiatric nurse as defined in s. 394.455, a podiatric

3301 physician licensed under chapter 461, or a physician assistant
 3302 licensed under chapter 458 or chapter 459, provided such
 3303 practitioner holds a valid federal controlled substance registry
 3304 number.

3305 Section 84. Paragraph (b) of subsection (1) of section
 3306 893.05, Florida Statutes, is amended to read:

3307 893.05 Practitioners and persons administering controlled
 3308 substances in their absence.—

3309 (1)

3310 (b) Pursuant to s. 458.347(4)(g), s. 459.022(4)(f), or s.
 3311 464.012(3), as applicable, a practitioner who supervises a
 3312 licensed physician assistant or advanced practice registered
 3313 nurse ~~advanced registered nurse practitioner~~ may authorize the
 3314 licensed physician assistant or advanced practice registered
 3315 nurse ~~advanced registered nurse practitioner~~ to order controlled
 3316 substances for administration to a patient in a facility
 3317 licensed under chapter 395 or part II of chapter 400.

3318 Section 85. Subsection (6) of section 943.13, Florida
 3319 Statutes, is amended to read:

3320 943.13 Officers' minimum qualifications for employment or
 3321 appointment.—On or after October 1, 1984, any person employed or
 3322 appointed as a full-time, part-time, or auxiliary law
 3323 enforcement officer or correctional officer; on or after October
 3324 1, 1986, any person employed as a full-time, part-time, or
 3325 auxiliary correctional probation officer; and on or after

3326 | October 1, 1986, any person employed as a full-time, part-time,
 3327 | or auxiliary correctional officer by a private entity under
 3328 | contract to the Department of Corrections, to a county
 3329 | commission, or to the Department of Management Services shall:
 3330 | (6) Have passed a physical examination by a licensed
 3331 | physician, physician assistant, or certified advanced practice
 3332 | registered nurse ~~advanced registered nurse practitioner~~, based
 3333 | on specifications established by the commission. In order to be
 3334 | eligible for the presumption set forth in s. 112.18 while
 3335 | employed with an employing agency, a law enforcement officer,
 3336 | correctional officer, or correctional probation officer must
 3337 | have successfully passed the physical examination required by
 3338 | this subsection upon entering into service as a law enforcement
 3339 | officer, correctional officer, or correctional probation officer
 3340 | with the employing agency, which examination must have failed to
 3341 | reveal any evidence of tuberculosis, heart disease, or
 3342 | hypertension. A law enforcement officer, correctional officer,
 3343 | or correctional probation officer may not use a physical
 3344 | examination from a former employing agency for purposes of
 3345 | claiming the presumption set forth in s. 112.18 against the
 3346 | current employing agency.

3347 | Section 86. Paragraph (n) of subsection (1) of section
 3348 | 948.03, Florida Statutes, is amended to read:
 3349 | 948.03 Terms and conditions of probation.—
 3350 | (1) The court shall determine the terms and conditions of

3351 probation. Conditions specified in this section do not require
 3352 oral pronouncement at the time of sentencing and may be
 3353 considered standard conditions of probation. These conditions
 3354 may include among them the following, that the probationer or
 3355 offender in community control shall:

3356 (n) Be prohibited from using intoxicants to excess or
 3357 possessing any drugs or narcotics unless prescribed by a
 3358 physician, an advanced practice registered nurse ~~advanced~~
 3359 ~~registered nurse practitioner~~, or a physician assistant. The
 3360 probationer or community controllee may not knowingly visit
 3361 places where intoxicants, drugs, or other dangerous substances
 3362 are unlawfully sold, dispensed, or used.

3363 Section 87. Paragraph (i) of subsection (3) of section
 3364 1002.20, Florida Statutes, is amended to read:

3365 1002.20 K-12 student and parent rights.—Parents of public
 3366 school students must receive accurate and timely information
 3367 regarding their child's academic progress and must be informed
 3368 of ways they can help their child to succeed in school. K-12
 3369 students and their parents are afforded numerous statutory
 3370 rights including, but not limited to, the following:

3371 (3) HEALTH ISSUES.—

3372 (i) *Epinephrine use and supply.*—

3373 1. A student who has experienced or is at risk for life-
 3374 threatening allergic reactions may carry an epinephrine auto-
 3375 injector and self-administer epinephrine by auto-injector while

3376 | in school, participating in school-sponsored activities, or in
3377 | transit to or from school or school-sponsored activities if the
3378 | school has been provided with parental and physician
3379 | authorization. The State Board of Education, in cooperation with
3380 | the Department of Health, shall adopt rules for such use of
3381 | epinephrine auto-injectors that shall include provisions to
3382 | protect the safety of all students from the misuse or abuse of
3383 | auto-injectors. A school district, county health department,
3384 | public-private partner, and their employees and volunteers shall
3385 | be indemnified by the parent of a student authorized to carry an
3386 | epinephrine auto-injector for any and all liability with respect
3387 | to the student's use of an epinephrine auto-injector pursuant to
3388 | this paragraph.

3389 | 2. A public school may purchase a supply of epinephrine
3390 | auto-injectors from a wholesale distributor as defined in s.
3391 | 499.003 or may enter into an arrangement with a wholesale
3392 | distributor or manufacturer as defined in s. 499.003 for the
3393 | epinephrine auto-injectors at fair-market, free, or reduced
3394 | prices for use in the event a student has an anaphylactic
3395 | reaction. The epinephrine auto-injectors must be maintained in a
3396 | secure location on the public school's premises. The
3397 | participating school district shall adopt a protocol developed
3398 | by a licensed physician for the administration by school
3399 | personnel who are trained to recognize an anaphylactic reaction
3400 | and to administer an epinephrine auto-injection. The supply of

3401 epinephrine auto-injectors may be provided to and used by a
 3402 student authorized to self-administer epinephrine by auto-
 3403 injector under subparagraph 1. or trained school personnel.

3404 3. The school district and its employees, agents, and the
 3405 physician who provides the standing protocol for school
 3406 epinephrine auto-injectors are not liable for any injury arising
 3407 from the use of an epinephrine auto-injector administered by
 3408 trained school personnel who follow the adopted protocol and
 3409 whose professional opinion is that the student is having an
 3410 anaphylactic reaction:

3411 a. Unless the trained school personnel's action is willful
 3412 and wanton;

3413 b. Notwithstanding that the parents or guardians of the
 3414 student to whom the epinephrine is administered have not been
 3415 provided notice or have not signed a statement acknowledging
 3416 that the school district is not liable; and

3417 c. Regardless of whether authorization has been given by
 3418 the student's parents or guardians or by the student's
 3419 physician, physician's assistant, or advanced practice
 3420 registered nurse ~~advanced registered nurse practitioner~~.

3421 Section 88. Paragraph (b) of subsection (17) of section
 3422 1002.42, Florida Statutes, is amended to read:

3423 1002.42 Private schools.—

3424 (17) EPINEPHRINE SUPPLY.—

3425 (b) The private school and its employees, agents, and the

3426 physician who provides the standing protocol for school
 3427 epinephrine auto-injectors are not liable for any injury arising
 3428 from the use of an epinephrine auto-injector administered by
 3429 trained school personnel who follow the adopted protocol and
 3430 whose professional opinion is that the student is having an
 3431 anaphylactic reaction:

3432 1. Unless the trained school personnel's action is willful
 3433 and wanton;

3434 2. Notwithstanding that the parents or guardians of the
 3435 student to whom the epinephrine is administered have not been
 3436 provided notice or have not signed a statement acknowledging
 3437 that the school district is not liable; and

3438 3. Regardless of whether authorization has been given by
 3439 the student's parents or guardians or by the student's
 3440 physician, physician's assistant, or advanced practice
 3441 registered nurse ~~advanced registered nurse practitioner~~.

3442 Section 89. Subsections (4) and (5) of section 1006.062,
 3443 Florida Statutes, are amended to read:

3444 1006.062 Administration of medication and provision of
 3445 medical services by district school board personnel.—

3446 (4) Nonmedical assistive personnel shall be allowed to
 3447 perform health-related services upon successful completion of
 3448 child-specific training by a registered nurse or advanced
 3449 practice registered nurse ~~advanced registered nurse practitioner~~
 3450 licensed under chapter 464, a physician licensed pursuant to

3451 chapter 458 or chapter 459, or a physician assistant licensed
 3452 pursuant to chapter 458 or chapter 459. All procedures shall be
 3453 monitored periodically by a nurse, advanced practice registered
 3454 nurse ~~advanced registered nurse practitioner~~, physician
 3455 assistant, or physician, including, but not limited to:

- 3456 (a) Intermittent clean catheterization.
- 3457 (b) Gastrostomy tube feeding.
- 3458 (c) Monitoring blood glucose.
- 3459 (d) Administering emergency injectable medication.
- 3460 (5) For all other invasive medical services not listed in
 3461 this subsection, a registered nurse or advanced practice
 3462 registered nurse ~~advanced registered nurse practitioner~~ licensed
 3463 under chapter 464, a physician licensed pursuant to chapter 458
 3464 or chapter 459, or a physician assistant licensed pursuant to
 3465 chapter 458 or chapter 459 shall determine if nonmedical
 3466 district school board personnel shall be allowed to perform such
 3467 service.

3468 Section 90. Subsection (1) and paragraph (a) of subsection
 3469 (2) of section 1009.65, Florida Statutes, are amended to read:

3470 1009.65 Medical Education Reimbursement and Loan Repayment
 3471 Program.—

- 3472 (1) To encourage qualified medical professionals to
 3473 practice in underserved locations where there are shortages of
 3474 such personnel, there is established the Medical Education
 3475 Reimbursement and Loan Repayment Program. The function of the

3476 program is to make payments that offset loans and educational
3477 expenses incurred by students for studies leading to a medical
3478 or nursing degree, medical or nursing licensure, or advanced
3479 practice registered nurse ~~advanced registered nurse practitioner~~
3480 certification or physician assistant licensure. The following
3481 licensed or certified health care professionals are eligible to
3482 participate in this program: medical doctors with primary care
3483 specialties, doctors of osteopathic medicine with primary care
3484 specialties, physician's assistants, licensed practical nurses
3485 and registered nurses, and advanced practice registered nurses
3486 ~~advanced registered nurse practitioners~~ with primary care
3487 specialties such as certified nurse midwives. Primary care
3488 medical specialties for physicians include obstetrics,
3489 gynecology, general and family practice, internal medicine,
3490 pediatrics, and other specialties which may be identified by the
3491 Department of Health.

3492 (2) From the funds available, the Department of Health
3493 shall make payments to selected medical professionals as
3494 follows:

3495 (a) Up to \$4,000 per year for licensed practical nurses
3496 and registered nurses, up to \$10,000 per year for advanced
3497 practice registered nurses ~~advanced registered nurse~~
3498 ~~practitioners~~ and physician's assistants, and up to \$20,000 per
3499 year for physicians. Penalties for noncompliance shall be the
3500 same as those in the National Health Services Corps Loan

3501 Repayment Program. Educational expenses include costs for
 3502 tuition, matriculation, registration, books, laboratory and
 3503 other fees, other educational costs, and reasonable living
 3504 expenses as determined by the Department of Health.

3505 Section 91. Subsection (2) of section 1009.66, Florida
 3506 Statutes, is amended to read:

3507 1009.66 Nursing Student Loan Forgiveness Program.—

3508 (2) To be eligible, a candidate must have graduated from
 3509 an accredited or approved nursing program and have received a
 3510 Florida license as a licensed practical nurse or a registered
 3511 nurse or a Florida certificate as an advanced practice
 3512 registered nurse ~~advanced registered nurse practitioner~~.

3513 Section 92. Subsection (3) of section 1009.67, Florida
 3514 Statutes, is amended to read:

3515 1009.67 Nursing scholarship program.—

3516 (3) A scholarship may be awarded for no more than 2 years,
 3517 in an amount not to exceed \$8,000 per year. However, registered
 3518 nurses pursuing a graduate degree for a faculty position or to
 3519 practice as an advanced practice registered nurse ~~advanced~~
 3520 ~~registered nurse practitioner~~ may receive up to \$12,000 per
 3521 year. These amounts shall be adjusted by the amount of increase
 3522 or decrease in the Consumer Price Index for All Urban Consumers
 3523 published by the United States Department of Commerce.

3524 Section 93. Except as otherwise expressly provided in this
 3525 act, this act shall take effect July 1, 2018.