



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," "clinical nurse specialist," and  
6           "clinical nurse specialist practice," to conform to  
7           changes made by the act; repealing s. 464.0115, F.S.,  
8           relating to the certification of clinical nurse  
9           specialists; amending s. 464.012, F.S.; requiring any  
10          nurse desiring to be licensed as an advanced practice  
11          registered nurse to apply to the Department of Health,  
12          submit proof that he or she holds a current license to  
13          practice professional nursing, and meet one or more  
14          specified requirements as determined by the Board of  
15          Nursing; authorizing the board to adopt rules to  
16          provide for provisional state licensure of certified  
17          nurse midwives, certified nurse practitioners,  
18          certified registered nurse anesthetists, clinical  
19          nurse specialists, and psychiatric nurses for a  
20          specified period of time; requiring the department and  
21          the board to establish a transition process for  
22          converting certain certified practitioners to licensed  
23          practitioners; authorizing certain certified  
24          practitioners to continue practicing advanced nursing  
25          during a specified period of time; providing



26 construction; providing an expiration date for  
 27 provisions relating to the transition from  
 28 certification to licensure; conforming provisions to  
 29 changes made by the act; amending s. 960.28, F.S.;  
 30 conforming a cross-reference; amending ss. 39.303,  
 31 39.304, 90.503, 110.12315, 121.0515, 252.515, 310.071,  
 32 310.073, 310.081, 320.0848, 381.00315, 381.00593,  
 33 383.14, 383.141, 384.27, 390.0111, 390.012, 394.455,  
 34 395.0191, 397.311, 397.4012, 397.427, 397.679,  
 35 397.6793, 400.021, 400.462, 400.487, 400.506,  
 36 400.9973, 400.9974, 400.9976, 400.9979, 401.445,  
 37 409.905, 409.908, 409.973, 429.918, 456.0391,  
 38 456.0392, 456.041, 456.048, 456.072, 456.44, 458.3265,  
 39 458.331, 458.348, 459.0137, 459.015, 459.025, 464.003,  
 40 464.004, 464.013, 464.015, 464.016, 464.018, 464.0205,  
 41 467.003, 480.0475, 483.041, 483.801, 486.021, 490.012,  
 42 491.0057, 491.012, 493.6108, 627.357, 627.6471,  
 43 627.6472, 627.736, 633.412, 641.3923, 766.103,  
 44 766.1115, 766.1116, 766.118, 794.08, 893.02, 893.05,  
 45 943.13, 948.03, 1002.20, 1002.42, 1006.062, 1009.65,  
 46 1009.66, and 1009.67, F.S.; conforming provisions to  
 47 changes made by the act; providing effective dates.

48  
 49 Be It Enacted by the Legislature of the State of Florida:  
 50



51 Section 1. Subsections (3), (6), and (7) of section  
52 464.003, Florida Statutes, are amended, to read:

53 464.003 Definitions.—As used in this part, the term:

54 (3) "Advanced practice registered nurse" ~~"Advanced~~  
55 ~~registered nurse practitioner"~~ means any person licensed in this  
56 state to practice professional nursing and who is licensed  
57 ~~certified~~ in an advanced ~~or specialized~~ nursing practice,  
58 including certified nurse midwives, certified nurse  
59 practitioners, certified registered nurse anesthetists, clinical  
60 nurse specialists ~~certified nurse midwives,~~ and psychiatric  
61 nurses ~~nurse practitioners.~~

62 ~~(6) "Clinical nurse specialist" means any person licensed~~  
63 ~~in this state to practice professional nursing and certified in~~  
64 ~~clinical nurse specialist practice.~~

65 ~~(7) "Clinical nurse specialist practice" means the~~  
66 ~~delivery and management of advanced practice nursing care to~~  
67 ~~individuals or groups, including the ability to:~~

68 ~~(a) Assess the health status of individuals and families~~  
69 ~~using methods appropriate to the population and area of~~  
70 ~~practice.~~

71 ~~(b) Diagnose human responses to actual or potential health~~  
72 ~~problems.~~

73 ~~(c) Plan for health promotion, disease prevention, and~~  
74 ~~therapeutic intervention in collaboration with the patient or~~  
75 ~~client.~~



76 ~~(d) Implement therapeutic interventions based on the nurse~~  
77 ~~specialist's area of expertise and within the scope of advanced~~  
78 ~~nursing practice, including, but not limited to, direct nursing~~  
79 ~~care, counseling, teaching, and collaboration with other~~  
80 ~~licensed health care providers.~~

81 ~~(e) Coordinate health care as necessary and appropriate~~  
82 ~~and evaluate with the patient or client the effectiveness of~~  
83 ~~care.~~

84 Section 2. Section 464.0115, Florida Statutes, is  
85 repealed.

86 Section 3. Section 464.012, Florida Statutes, as amended  
87 by section 3 of chapter 2017-134, section 8 of chapter 2016-139,  
88 and section 7 of chapter 2016-231, Laws of Florida, is amended  
89 to read:

90 464.012 Licensure Certification of advanced practice  
91 registered nurses ~~advanced registered nurse practitioners; fees;~~  
92 controlled substance prescribing.-

93 (1) Any nurse desiring to be licensed ~~certified~~ as an  
94 advanced practice registered nurse must ~~advanced registered~~  
95 ~~nurse practitioner shall~~ apply to the department and submit  
96 proof that he or she holds a current license to practice  
97 professional nursing or holds an active multistate license to  
98 practice professional nursing pursuant to s. 464.0095 and that  
99 he or she meets one or more of the following requirements as  
100 determined by the board:



101 (a) Certification by an appropriate specialty board. Such  
102 certification is ~~shall be~~ required for initial state licensure  
103 ~~certification~~ and any licensure renewal ~~recertification~~ as a  
104 certified nurse midwife, certified nurse practitioner, certified  
105 registered nurse anesthetist, clinical nurse specialist, or  
106 psychiatric nurse, ~~or nurse midwife~~. The board may by rule  
107 provide for provisional state licensure ~~certification~~ of  
108 graduate certified registered nurse anesthetists, clinical nurse  
109 specialists, certified nurse practitioners, psychiatric nurses,  
110 and certified nurse midwives for a period of time determined to  
111 be appropriate for preparing for and passing the national  
112 certification examination.

113 (b) Graduation from a program leading to a master's degree  
114 in a nursing clinical specialty area with preparation in  
115 specialized practitioner skills. For applicants graduating on or  
116 after October 1, 1998, graduation from a master's degree program  
117 is ~~shall be~~ required for initial licensure ~~certification~~ as a  
118 certified nurse practitioner under paragraph (4) (a) ~~(4) (c)~~.

119 1. For applicants graduating on or after October 1, 2001,  
120 graduation from a master's degree program is ~~shall be~~ required  
121 for initial licensure ~~certification~~ as a certified registered  
122 nurse anesthetist who may perform the acts listed in ~~under~~  
123 paragraph (4) (b) ~~(4) (a)~~.

124 2. For applicants graduating on or after October 1, 1998,  
125 graduation from a master's degree program is required for



126 initial licensure as a certified nurse midwife who may perform  
127 the acts listed in paragraph (4) (c).

128 3. For applicants graduating on or after July 1, 2007,  
129 graduation from a master's degree program is required for  
130 initial licensure as a clinical nurse specialist who may perform  
131 the acts listed in paragraph (4) (d).

132 (2) (a) The board shall provide by rule the appropriate  
133 requirements for advanced practice registered nurses for  
134 ~~advanced registered nurse practitioners~~ in the advanced nursing  
135 practices categories of certified nurse midwives, certified  
136 nurse practitioners, certified registered nurse anesthetists  
137 ~~anesthetist, clinical certified nurse specialists midwife,~~ and  
138 psychiatric nurses nurse practitioner.

139 (3) An advanced practice registered nurse ~~advanced~~  
140 ~~registered nurse practitioner~~ shall perform those functions  
141 authorized in this section within the framework of an  
142 established protocol that ~~which~~ must be maintained on site at  
143 the location or locations at which an advanced practice  
144 registered nurse ~~advanced registered nurse practitioner~~  
145 practices. In the case of multiple supervising physicians in the  
146 same group, an advanced practice registered nurse ~~advanced~~  
147 ~~registered nurse practitioner~~ must enter into a supervisory  
148 protocol with at least one physician within the physician group  
149 practice. A practitioner currently licensed under chapter 458,  
150 chapter 459, or chapter 466 shall maintain supervision for



151 directing the specific course of medical treatment. Within the  
152 established framework, an advanced practice registered nurse  
153 ~~advanced registered nurse practitioner~~ may:

154 (a) Prescribe, dispense, administer, or order any drug;  
155 however, an advanced practice registered nurse ~~advanced~~  
156 ~~registered nurse practitioner~~ may prescribe or dispense a  
157 controlled substance as defined in s. 893.03 only if the  
158 advanced practice registered nurse ~~advanced registered nurse~~  
159 ~~practitioner~~ has graduated from a program leading to a master's  
160 or doctoral degree in a clinical nursing specialty area with  
161 training in specialized practitioner skills.

162 (b) Initiate appropriate therapies for certain conditions.

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

165 (d) Order diagnostic tests and physical and occupational  
166 therapy.

167 (e) Order any medication for administration to a patient  
168 in a facility licensed under chapter 395 or part II of chapter  
169 400, notwithstanding any provisions in chapter 465 or chapter  
170 893.

171 (4) In addition to the general functions specified in  
172 subsection (3), an advanced practice registered nurse ~~advanced~~  
173 ~~registered nurse practitioner~~ may perform the following acts  
174 within his or her specialty:

175 (a) The certified nurse practitioner may perform any or



176 | all of the following acts within the framework of established  
177 | protocol:

- 178 |     1. Manage selected medical problems.  
179 |     2. Order physical and occupational therapy.  
180 |     3. Initiate, monitor, or alter therapies for certain  
181 | uncomplicated acute illnesses.  
182 |     4. Monitor and manage patients with stable chronic  
183 | diseases.  
184 |     5. Establish behavioral problems and diagnosis and make  
185 | treatment recommendations.

186 |     (b)-(a) The certified registered nurse anesthetist may, to  
187 | the extent authorized by established protocol approved by the  
188 | medical staff of the facility in which the anesthetic service is  
189 | performed, perform any or all of the following:

- 190 |         1. Determine the health status of the patient as it  
191 | relates to the risk factors and to the anesthetic management of  
192 | the patient through the performance of the general functions.  
193 |         2. Based on history, physical assessment, and supplemental  
194 | laboratory results, determine, with the consent of the  
195 | responsible physician, the appropriate type of anesthesia within  
196 | the framework of the protocol.  
197 |         3. Order under the protocol preanesthetic medication.  
198 |         4. Perform under the protocol procedures commonly used to  
199 | render the patient insensible to pain during the performance of  
200 | surgical, obstetrical, therapeutic, or diagnostic clinical





201 | procedures. These procedures include ordering and administering  
202 | regional, spinal, and general anesthesia; inhalation agents and  
203 | techniques; intravenous agents and techniques; and techniques of  
204 | hypnosis.

205 |         5. Order or perform monitoring procedures indicated as  
206 | pertinent to the anesthetic health care management of the  
207 | patient.

208 |         6. Support life functions during anesthesia health care,  
209 | including induction and intubation procedures, the use of  
210 | appropriate mechanical supportive devices, and the management of  
211 | fluid, electrolyte, and blood component balances.

212 |         7. Recognize and take appropriate corrective action for  
213 | abnormal patient responses to anesthesia, adjunctive medication,  
214 | or other forms of therapy.

215 |         8. Recognize and treat a cardiac arrhythmia while the  
216 | patient is under anesthetic care.

217 |         9. Participate in management of the patient while in the  
218 | postanesthesia recovery area, including ordering the  
219 | administration of fluids and drugs.

220 |         10. Place special peripheral and central venous and  
221 | arterial lines for blood sampling and monitoring as appropriate.

222 |         (c) ~~(b)~~ The certified nurse midwife may, to the extent  
223 | authorized by an established protocol which has been approved by  
224 | the medical staff of the health care facility in which the  
225 | midwifery services are performed, or approved by the nurse



226 midwife's physician backup when the delivery is performed in a  
227 patient's home, perform any or all of the following:

- 228 1. Perform superficial minor surgical procedures.
- 229 2. Manage the patient during labor and delivery to include  
230 amniotomy, episiotomy, and repair.
- 231 3. Order, initiate, and perform appropriate anesthetic  
232 procedures.
- 233 4. Perform postpartum examination.
- 234 5. Order appropriate medications.
- 235 6. Provide family-planning services and well-woman care.
- 236 7. Manage the medical care of the normal obstetrical  
237 patient and the initial care of a newborn patient.

238 (d) The clinical nurse specialist may perform any or all  
239 of the following acts within the framework of established  
240 protocol:

- 241 1. Assess the health status of individuals and families  
242 using methods appropriate to the population and area of  
243 practice.
- 244 2. Diagnose human responses to actual or potential health  
245 problems.
- 246 3. Plan for health promotion, disease prevention, and  
247 therapeutic intervention in collaboration with the patient or  
248 client.
- 249 4. Implement therapeutic interventions based on the nurse  
250 specialist's area of expertise and within the scope of advanced



251 nursing practice, including, but not limited to, direct nursing  
252 care, counseling, teaching, and collaboration with other  
253 licensed health care providers.

254 5. Coordinate health care as necessary and appropriate and  
255 evaluate with the patient or client the effectiveness of care.

256 ~~(c) The nurse practitioner may perform any or all of the~~  
257 ~~following acts within the framework of established protocol:~~

258 ~~1. Manage selected medical problems.~~

259 ~~2. Order physical and occupational therapy.~~

260 ~~3. Initiate, monitor, or alter therapies for certain~~  
261 ~~uncomplicated acute illnesses.~~

262 ~~4. Monitor and manage patients with stable chronic~~  
263 ~~diseases.~~

264 ~~5. Establish behavioral problems and diagnosis and make~~  
265 ~~treatment recommendations.~~

266 (e)(5) A psychiatric nurse, who meets the requirements in  
267 s. 394.455(35) as defined in s. 394.455, within the framework of  
268 an established protocol with a psychiatrist, may prescribe  
269 psychotropic controlled substances for the treatment of mental  
270 disorders.

271 (5)(6) The board shall approve for licensure ~~certify~~, and  
272 the department shall issue a license ~~certificate~~ to, any nurse  
273 meeting the qualifications in this section. The board shall  
274 establish an application fee not to exceed \$100 and a biennial  
275 renewal fee not to exceed \$50. The board is authorized to adopt



276 such other rules as are necessary to implement the provisions of  
277 this section.

278 (6)~~(7)~~(a) The board shall establish a committee to  
279 recommend a formulary of controlled substances that an advanced  
280 practice registered nurse ~~advanced registered nurse practitioner~~  
281 may not prescribe or may prescribe only for specific uses or in  
282 limited quantities. The committee must consist of three advanced  
283 practice registered nurses ~~advanced registered nurse~~  
284 ~~practitioners~~ licensed under this section, recommended by the  
285 board; three physicians licensed under chapter 458 or chapter  
286 459 who have work experience with advanced practice registered  
287 nurses ~~advanced registered nurse practitioners~~, recommended by  
288 the Board of Medicine; and a pharmacist licensed under chapter  
289 465 who is a doctor of pharmacy, recommended by the Board of  
290 Pharmacy. The committee may recommend an evidence-based  
291 formulary applicable to all advanced practice registered nurses  
292 ~~advanced registered nurse practitioners~~ which is limited by  
293 specialty certification, is limited to approved uses of  
294 controlled substances, or is subject to other similar  
295 restrictions the committee finds are necessary to protect the  
296 health, safety, and welfare of the public. The formulary must  
297 restrict the prescribing of psychiatric mental health controlled  
298 substances for children younger than 18 years of age to advanced  
299 practice registered nurses ~~advanced registered nurse~~  
300 ~~practitioners~~ who also are psychiatric nurses as defined in s.



301 394.455. The formulary must also limit the prescribing of  
302 Schedule II controlled substances as listed in s. 893.03 to a 7-  
303 day supply, except that such restriction does not apply to  
304 controlled substances that are psychiatric medications  
305 prescribed by psychiatric nurses as defined in s. 394.455.

306 (b) The board shall adopt by rule the recommended  
307 formulary and any revision to the formulary which it finds is  
308 supported by evidence-based clinical findings presented by the  
309 Board of Medicine, the Board of Osteopathic Medicine, or the  
310 Board of Dentistry.

311 (c) The formulary required under this subsection does not  
312 apply to a controlled substance that is dispensed for  
313 administration pursuant to an order, including an order for  
314 medication authorized by subparagraph (4) (b) 3., subparagraph  
315 (4) (b) 4., or subparagraph (4) (b) 9 ~~subparagraph (4) (a) 3.,~~  
316 ~~subparagraph (4) (a) 4., or subparagraph (4) (a) 9.~~

317 (d) The board shall adopt the committee's initial  
318 recommendation no later than October 31, 2016.

319 ~~(7)-(8)~~ This section shall be known as "The Barbara Lumpkin  
320 Prescribing Act."

321 (8) The department and board shall establish a transition  
322 timeline and process for practitioners certified as of September  
323 30, 2018, as advanced registered nurse practitioners or clinical  
324 nurse specialists, to convert a certificate in good standing to  
325 a license that becomes effective on October 1, 2018, to practice



326 as an advanced practice registered nurse. An advanced registered  
327 nurse practitioner or a clinical nurse specialist holding a  
328 certificate to practice in good standing on September 30, 2018,  
329 may continue to practice with all rights, authorizations, and  
330 responsibilities under this section for licensure as an advanced  
331 practice registered nurse and may use the applicable title under  
332 s. 464.015 after the effective date of this act while the  
333 department and board complete the transition from certification  
334 to licensure, as established under this act. This subsection may  
335 not be construed to limit or restrict the department's or  
336 board's disciplinary authority or enforcement responsibilities  
337 for safe nursing practice. This subsection expires on October 1,  
338 2020.

339 Section 4. Subsection (2) of section 960.28, Florida  
340 Statutes, is amended to read:

341 960.28 Payment for victims' initial forensic physical  
342 examinations.—

343 (2) The Crime Victims' Services Office of the department  
344 shall pay for medical expenses connected with an initial  
345 forensic physical examination of a victim of sexual battery as  
346 defined in chapter 794 or a lewd or lascivious offense as  
347 defined in chapter 800. Such payment shall be made regardless of  
348 whether the victim is covered by health or disability insurance  
349 and whether the victim participates in the criminal justice  
350 system or cooperates with law enforcement. The payment shall be



351 made only out of moneys allocated to the Crime Victims' Services  
352 Office for the purposes of this section, and the payment may not  
353 exceed \$500 with respect to any violation. The department shall  
354 develop and maintain separate protocols for the initial forensic  
355 physical examination of adults and children. Payment under this  
356 section is limited to medical expenses connected with the  
357 initial forensic physical examination, and payment may be made  
358 to a medical provider using an examiner qualified under part I  
359 of chapter 464, excluding s. 464.003(14) ~~s. 464.003(16)~~; chapter  
360 458; or chapter 459. Payment made to the medical provider by the  
361 department shall be considered by the provider as payment in  
362 full for the initial forensic physical examination associated  
363 with the collection of evidence. The victim may not be required  
364 to pay, directly or indirectly, the cost of an initial forensic  
365 physical examination performed in accordance with this section.

366 Section 5. Paragraph (c) of subsection (5) and paragraph  
367 (a) of subsection (6) of section 39.303, Florida Statutes, are  
368 amended to read:

369 39.303 Child protection teams and sexual abuse treatment  
370 programs; services; eligible cases.—

371 (5) All abuse and neglect cases transmitted for  
372 investigation to a circuit by the hotline must be simultaneously  
373 transmitted to the child protection team for review. For the  
374 purpose of determining whether a face-to-face medical evaluation  
375 by a child protection team is necessary, all cases transmitted



376 to the child protection team which meet the criteria in  
377 subsection (4) must be timely reviewed by:

378 (c) An advanced practice registered nurse ~~advanced~~  
379 ~~registered nurse practitioner~~ licensed under chapter 464 who has  
380 a specialty in pediatrics or family medicine and is a member of  
381 a child protection team;

382 (6) A face-to-face medical evaluation by a child  
383 protection team is not necessary when:

384 (a) The child was examined for the alleged abuse or  
385 neglect by a physician who is not a member of the child  
386 protection team, and a consultation between the child protection  
387 team medical director or a child protection team board-certified  
388 pediatrician, advanced practice registered nurse ~~advanced~~  
389 ~~registered nurse practitioner~~, physician assistant working under  
390 the supervision of a child protection team medical director or a  
391 child protection team board-certified pediatrician, or  
392 registered nurse working under the direct supervision of a child  
393 protection team medical director or a child protection team  
394 board-certified pediatrician, and the examining physician  
395 concludes that a further medical evaluation is unnecessary;

396  
397 Notwithstanding paragraphs (a), (b), and (c), a child protection  
398 team medical director or a child protection team pediatrician,  
399 as authorized in subsection (5), may determine that a face-to-  
400 face medical evaluation is necessary.





401 Section 6. Paragraph (b) of subsection (1) of section  
402 39.304, Florida Statutes, is amended to read:

403 39.304 Photographs, medical examinations, X rays, and  
404 medical treatment of abused, abandoned, or neglected child.—

405 (1)

406 (b) If the areas of trauma visible on a child indicate a  
407 need for a medical examination, or if the child verbally  
408 complains or otherwise exhibits distress as a result of injury  
409 through suspected child abuse, abandonment, or neglect, or is  
410 alleged to have been sexually abused, the person required to  
411 investigate may cause the child to be referred for diagnosis to  
412 a licensed physician or an emergency department in a hospital  
413 without the consent of the child's parents or legal custodian.  
414 Such examination may be performed by any licensed physician or  
415 an advanced practice registered nurse ~~advanced registered nurse~~  
416 ~~practitioner~~ licensed pursuant to part I of chapter 464. Any  
417 licensed physician~~7~~ or advanced practice registered nurse  
418 ~~advanced registered nurse practitioner~~ licensed pursuant to part  
419 I of chapter 464~~7~~ who has reasonable cause to suspect that an  
420 injury was the result of child abuse, abandonment, or neglect  
421 may authorize a radiological examination to be performed on the  
422 child without the consent of the child's parent or legal  
423 custodian.

424 Section 7. Paragraph (a) of subsection (1) of section  
425 90.503, Florida Statutes, is amended to read:



426 90.503 Psychotherapist-patient privilege.-

427 (1) For purposes of this section:

428 (a) A "psychotherapist" is:

429 1. A person authorized to practice medicine in any state  
430 or nation, or reasonably believed by the patient so to be, who  
431 is engaged in the diagnosis or treatment of a mental or  
432 emotional condition, including alcoholism and other drug  
433 addiction;

434 2. A person licensed or certified as a psychologist under  
435 the laws of any state or nation, who is engaged primarily in the  
436 diagnosis or treatment of a mental or emotional condition,  
437 including alcoholism and other drug addiction;

438 3. A person licensed or certified as a clinical social  
439 worker, marriage and family therapist, or mental health  
440 counselor under the laws of this state, who is engaged primarily  
441 in the diagnosis or treatment of a mental or emotional  
442 condition, including alcoholism and other drug addiction;

443 4. Treatment personnel of facilities licensed by the state  
444 pursuant to chapter 394, chapter 395, or chapter 397, of  
445 facilities designated by the Department of Children and Families  
446 pursuant to chapter 394 as treatment facilities, or of  
447 facilities defined as community mental health centers pursuant  
448 to s. 394.907(1), who are engaged primarily in the diagnosis or  
449 treatment of a mental or emotional condition, including  
450 alcoholism and other drug addiction; or



451           5. An advanced practice registered nurse licensed ~~advanced~~  
452 ~~registered nurse practitioner certified~~ under s. 464.012, whose  
453 primary scope of practice is the diagnosis or treatment of  
454 mental or emotional conditions, including chemical abuse, and  
455 limited only to actions performed in accordance with part I of  
456 chapter 464.

457           Section 8. Paragraph (d) of subsection (2) of section  
458 110.12315, Florida Statutes, is amended to read:

459           110.12315 Prescription drug program.—The state employees'  
460 prescription drug program is established. This program shall be  
461 administered by the Department of Management Services, according  
462 to the terms and conditions of the plan as established by the  
463 relevant provisions of the annual General Appropriations Act and  
464 implementing legislation, subject to the following conditions:

465           (2) In providing for reimbursement of pharmacies for  
466 prescription drugs and supplies dispensed to members of the  
467 state group health insurance plan and their dependents under the  
468 state employees' prescription drug program:

469           (d) The department shall establish the reimbursement  
470 schedule for prescription drugs and supplies dispensed under the  
471 program. Reimbursement rates for a prescription drug or supply  
472 must be based on the cost of the generic equivalent drug or  
473 supply if a generic equivalent exists, unless the physician,  
474 advanced practice registered nurse ~~advanced registered nurse~~  
475 ~~practitioner~~, or physician assistant prescribing the drug or



476 supply clearly states on the prescription that the brand name  
477 drug or supply is medically necessary or that the drug or supply  
478 is included on the formulary of drugs and supplies that may not  
479 be interchanged as provided in chapter 465, in which case  
480 reimbursement must be based on the cost of the brand name drug  
481 or supply as specified in the reimbursement schedule adopted by  
482 the department.

483 Section 9. Paragraph (f) of subsection (3) of section  
484 121.0515, Florida Statutes, is amended to read:

485 121.0515 Special Risk Class.—

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

488 (f) Effective January 1, 2001, the member must be employed  
489 in one of the following classes and must spend at least 75  
490 percent of his or her time performing duties which involve  
491 contact with patients or inmates in a correctional or forensic  
492 facility or institution:

- 493 1. Dietitian (class codes 5203 and 5204);
- 494 2. Public health nutrition consultant (class code 5224);
- 495 3. Psychological specialist (class codes 5230 and 5231);
- 496 4. Psychologist (class code 5234);
- 497 5. Senior psychologist (class codes 5237 and 5238);
- 498 6. Regional mental health consultant (class code 5240);
- 499 7. Psychological Services Director—DCF (class code 5242);
- 500 8. Pharmacist (class codes 5245 and 5246);



- 501 9. Senior pharmacist (class codes 5248 and 5249);
- 502 10. Dentist (class code 5266);
- 503 11. Senior dentist (class code 5269);
- 504 12. Registered nurse (class codes 5290 and 5291);
- 505 13. Senior registered nurse (class codes 5292 and 5293);
- 506 14. Registered nurse specialist (class codes 5294 and
- 507 5295);
- 508 15. Clinical associate (class codes 5298 and 5299);
- 509 16. Advanced practice registered nurse ~~Advanced registered~~
- 510 ~~nurse practitioner~~ (class codes 5297 and 5300);
- 511 17. Advanced practice registered nurse ~~Advanced registered~~
- 512 ~~nurse practitioner~~ specialist (class codes 5304 and 5305);
- 513 18. Registered nurse supervisor (class codes 5306 and
- 514 5307);
- 515 19. Senior registered nurse supervisor (class codes 5308
- 516 and 5309);
- 517 20. Registered nursing consultant (class codes 5312 and
- 518 5313);
- 519 21. Quality management program supervisor (class code
- 520 5314);
- 521 22. Executive nursing director (class codes 5320 and
- 522 5321);
- 523 23. Speech and hearing therapist (class code 5406); or
- 524 24. Pharmacy manager (class code 5251);
- 525 Section 10. Paragraph (a) of subsection (3) of section



526 | 252.515, Florida Statutes, is amended to read:

527 |       252.515 Postdisaster Relief Assistance Act; immunity from  
528 | civil liability.—

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

530 |       (a) "Emergency first responder" means:

531 |       1. A physician licensed under chapter 458.

532 |       2. An osteopathic physician licensed under chapter 459.

533 |       3. A chiropractic physician licensed under chapter 460.

534 |       4. A podiatric physician licensed under chapter 461.

535 |       5. A dentist licensed under chapter 466.

536 |       6. An advanced practice registered nurse licensed ~~advanced~~  
537 | ~~registered nurse practitioner certified~~ under s. 464.012.

538 |       7. A physician assistant licensed under s. 458.347 or s.  
539 | 459.022.

540 |       8. A worker employed by a public or private hospital in  
541 | the state.

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

543 |       10. An emergency medical technician as defined in s.  
544 | 401.23(11).

545 |       11. A firefighter as defined in s. 633.102.

546 |       12. A law enforcement officer as defined in s. 943.10.

547 |       13. A member of the Florida National Guard.

548 |       14. Any other personnel designated as emergency personnel  
549 | by the Governor pursuant to a declared emergency.

550 |       Section 11. Paragraph (c) of subsection (1) of section



551 310.071, Florida Statutes, is amended to read:

552 310.071 Deputy pilot certification.—

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

556 (c) Be in good physical and mental health, as evidenced by  
557 documentary proof of having satisfactorily passed a complete  
558 physical examination administered by a licensed physician within  
559 the preceding 6 months. The board shall adopt rules to establish  
560 requirements for passing the physical examination, which rules  
561 shall establish minimum standards for the physical or mental  
562 capabilities necessary to carry out the professional duties of a  
563 certificated deputy pilot. Such standards shall include zero  
564 tolerance for any controlled substance regulated under chapter  
565 893 unless that individual is under the care of a physician, an  
566 advanced practice registered nurse ~~advanced registered nurse~~  
567 ~~practitioner~~, or a physician assistant and that controlled  
568 substance was prescribed by that physician, advanced practice  
569 registered nurse ~~advanced registered nurse practitioner~~, or  
570 physician assistant. To maintain eligibility as a certificated  
571 deputy pilot, each certificated deputy pilot must annually  
572 provide documentary proof of having satisfactorily passed a  
573 complete physical examination administered by a licensed  
574 physician. The physician must know the minimum standards and  
575 certify that the certificateholder satisfactorily meets the



576 standards. The standards for certificateholders shall include a  
577 drug test.

578 Section 12. Subsection (3) of section 310.073, Florida  
579 Statutes, is amended to read:

580 310.073 State pilot licensing.—In addition to meeting  
581 other requirements specified in this chapter, each applicant for  
582 license as a state pilot must:

583 (3) Be in good physical and mental health, as evidenced by  
584 documentary proof of having satisfactorily passed a complete  
585 physical examination administered by a licensed physician within  
586 the preceding 6 months. The board shall adopt rules to establish  
587 requirements for passing the physical examination, which rules  
588 shall establish minimum standards for the physical or mental  
589 capabilities necessary to carry out the professional duties of a  
590 licensed state pilot. Such standards shall include zero  
591 tolerance for any controlled substance regulated under chapter  
592 893 unless that individual is under the care of a physician, an  
593 advanced practice registered nurse ~~advanced registered nurse~~  
594 ~~practitioner~~, or a physician assistant and that controlled  
595 substance was prescribed by that physician, advanced practice  
596 registered nurse ~~advanced registered nurse practitioner~~, or  
597 physician assistant. To maintain eligibility as a licensed state  
598 pilot, each licensed state pilot must annually provide  
599 documentary proof of having satisfactorily passed a complete  
600 physical examination administered by a licensed physician. The





601 physician must know the minimum standards and certify that the  
602 licensee satisfactorily meets the standards. The standards for  
603 licensees shall include a drug test.

604 Section 13. Paragraph (b) of subsection (3) of section  
605 310.081, Florida Statutes, is amended to read:

606 310.081 Department to examine and license state pilots and  
607 certificate deputy pilots; vacancies.—

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

610 (b) Are in good physical and mental health as evidenced by  
611 documentary proof of having satisfactorily passed a physical  
612 examination administered by a licensed physician or physician  
613 assistant within each calendar year. The board shall adopt rules  
614 to establish requirements for passing the physical examination,  
615 which rules shall establish minimum standards for the physical  
616 or mental capabilities necessary to carry out the professional  
617 duties of a licensed state pilot or a certificated deputy pilot.  
618 Such standards shall include zero tolerance for any controlled  
619 substance regulated under chapter 893 unless that individual is  
620 under the care of a physician, an advanced practice registered  
621 nurse ~~advanced registered nurse practitioner~~, or a physician  
622 assistant and that controlled substance was prescribed by that  
623 physician, advanced practice registered nurse ~~advanced~~  
624 ~~registered nurse practitioner~~, or physician assistant. To  
625 maintain eligibility as a certificated deputy pilot or licensed



626 state pilot, each certificated deputy pilot or licensed state  
627 pilot must annually provide documentary proof of having  
628 satisfactorily passed a complete physical examination  
629 administered by a licensed physician. The physician must know  
630 the minimum standards and certify that the certificateholder or  
631 licensee satisfactorily meets the standards. The standards for  
632 certificateholders and for licensees shall include a drug test.

633

634 Upon resignation or in the case of disability permanently  
635 affecting a pilot's ability to serve, the state license or  
636 certificate issued under this chapter shall be revoked by the  
637 department.

638 Section 14. Paragraph (b) of subsection (1) of section  
639 320.0848, Florida Statutes, is amended to read:

640 320.0848 Persons who have disabilities; issuance of  
641 disabled parking permits; temporary permits; permits for certain  
642 providers of transportation services to persons who have  
643 disabilities.—

644 (1)

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

649 a. Inability to walk without the use of or assistance from  
650 a brace, cane, crutch, prosthetic device, or other assistive



651 device, or without the assistance of another person. If the  
652 assistive device significantly restores the person's ability to  
653 walk to the extent that the person can walk without severe  
654 limitation, the person is not eligible for the exemption parking  
655 permit.

656 b. The need to permanently use a wheelchair.

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

662 d. Use of portable oxygen.

663 e. Restriction by cardiac condition to the extent that the  
664 person's functional limitations are classified in severity as  
665 Class III or Class IV according to standards set by the American  
666 Heart Association.

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

669 2. The certification of disability which is required under  
670 subparagraph 1. must be provided by a physician licensed under  
671 chapter 458, chapter 459, or chapter 460, by a podiatric  
672 physician licensed under chapter 461, by an optometrist licensed  
673 under chapter 463, by an advanced practice registered nurse  
674 ~~advanced registered nurse practitioner~~ licensed under chapter  
675 464 under the protocol of a licensed physician as stated in this



676 subparagraph, by a physician assistant licensed under chapter  
677 458 or chapter 459, or by a similarly licensed physician from  
678 another state if the application is accompanied by documentation  
679 of the physician's licensure in the other state and a form  
680 signed by the out-of-state physician verifying his or her  
681 knowledge of this state's eligibility guidelines.

682 Section 15. Paragraph (c) of subsection (1) of section  
683 381.00315, Florida Statutes, is amended to read:

684 381.00315 Public health advisories; public health  
685 emergencies; isolation and quarantines.—The State Health Officer  
686 is responsible for declaring public health emergencies, issuing  
687 public health advisories, and ordering isolation or quarantines.

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

689 (c) "Public health emergency" means any occurrence, or  
690 threat thereof, whether natural or manmade, which results or may  
691 result in substantial injury or harm to the public health from  
692 infectious disease, chemical agents, nuclear agents, biological  
693 toxins, or situations involving mass casualties or natural  
694 disasters. Before declaring a public health emergency, the State  
695 Health Officer shall, to the extent possible, consult with the  
696 Governor and shall notify the Chief of Domestic Security. The  
697 declaration of a public health emergency shall continue until  
698 the State Health Officer finds that the threat or danger has  
699 been dealt with to the extent that the emergency conditions no  
700 longer exist and he or she terminates the declaration. However,



701 a declaration of a public health emergency may not continue for  
702 longer than 60 days unless the Governor concurs in the renewal  
703 of the declaration. The State Health Officer, upon declaration  
704 of a public health emergency, may take actions that are  
705 necessary to protect the public health. Such actions include,  
706 but are not limited to:

707 1. Directing manufacturers of prescription drugs or over-  
708 the-counter drugs who are permitted under chapter 499 and  
709 wholesalers of prescription drugs located in this state who are  
710 permitted under chapter 499 to give priority to the shipping of  
711 specified drugs to pharmacies and health care providers within  
712 geographic areas that have been identified by the State Health  
713 Officer. The State Health Officer must identify the drugs to be  
714 shipped. Manufacturers and wholesalers located in the state must  
715 respond to the State Health Officer's priority shipping  
716 directive before shipping the specified drugs.

717 2. Notwithstanding chapters 465 and 499 and rules adopted  
718 thereunder, directing pharmacists employed by the department to  
719 compound bulk prescription drugs and provide these bulk  
720 prescription drugs to physicians and nurses of county health  
721 departments or any qualified person authorized by the State  
722 Health Officer for administration to persons as part of a  
723 prophylactic or treatment regimen.

724 3. Notwithstanding s. 456.036, temporarily reactivating  
725 the inactive license of the following health care practitioners,



726 when such practitioners are needed to respond to the public  
727 health emergency: physicians licensed under chapter 458 or  
728 chapter 459; physician assistants licensed under chapter 458 or  
729 chapter 459; licensed practical nurses, registered nurses, and  
730 advanced practice registered nurses ~~advanced registered nurse~~  
731 ~~practitioners~~ licensed under part I of chapter 464; respiratory  
732 therapists licensed under part V of chapter 468; and emergency  
733 medical technicians and paramedics certified under part III of  
734 chapter 401. Only those health care practitioners specified in  
735 this paragraph who possess an unencumbered inactive license and  
736 who request that such license be reactivated are eligible for  
737 reactivation. An inactive license that is reactivated under this  
738 paragraph shall return to inactive status when the public health  
739 emergency ends or before the end of the public health emergency  
740 if the State Health Officer determines that the health care  
741 practitioner is no longer needed to provide services during the  
742 public health emergency. Such licenses may only be reactivated  
743 for a period not to exceed 90 days without meeting the  
744 requirements of s. 456.036 or chapter 401, as applicable.

745 4. Ordering an individual to be examined, tested,  
746 vaccinated, treated, isolated, or quarantined for communicable  
747 diseases that have significant morbidity or mortality and  
748 present a severe danger to public health. Individuals who are  
749 unable or unwilling to be examined, tested, vaccinated, or  
750 treated for reasons of health, religion, or conscience may be



751 subjected to isolation or quarantine.

752 a. Examination, testing, vaccination, or treatment may be  
753 performed by any qualified person authorized by the State Health  
754 Officer.

755 b. If the individual poses a danger to the public health,  
756 the State Health Officer may subject the individual to isolation  
757 or quarantine. If there is no practical method to isolate or  
758 quarantine the individual, the State Health Officer may use any  
759 means necessary to vaccinate or treat the individual.

760

761 Any order of the State Health Officer given to effectuate this  
762 paragraph shall be immediately enforceable by a law enforcement  
763 officer under s. 381.0012.

764 Section 16. Subsection (3) of section 381.00593, Florida  
765 Statutes, is amended to read:

766 381.00593 Public school volunteer health care practitioner  
767 program.—

768 (3) For purposes of this section, the term "health care  
769 practitioner" means a physician licensed under chapter 458; an  
770 osteopathic physician licensed under chapter 459; a chiropractic  
771 physician licensed under chapter 460; a podiatric physician  
772 licensed under chapter 461; an optometrist licensed under  
773 chapter 463; an advanced practice registered nurse ~~advanced~~  
774 ~~registered nurse practitioner~~, registered nurse, or licensed  
775 practical nurse licensed under part I of chapter 464; a



776 pharmacist licensed under chapter 465; a dentist or dental  
777 hygienist licensed under chapter 466; a midwife licensed under  
778 chapter 467; a speech-language pathologist or audiologist  
779 licensed under part I of chapter 468; a dietitian/nutritionist  
780 licensed under part X of chapter 468; or a physical therapist  
781 licensed under chapter 486.

782 Section 17. Paragraph (c) of subsection (1) of section  
783 383.14, Florida Statutes, is amended to read:

784 383.14 Screening for metabolic disorders, other hereditary  
785 and congenital disorders, and environmental risk factors.—

786 (1) SCREENING REQUIREMENTS.—To help ensure access to the  
787 maternal and child health care system, the Department of Health  
788 shall promote the screening of all newborns born in Florida for  
789 metabolic, hereditary, and congenital disorders known to result  
790 in significant impairment of health or intellect, as screening  
791 programs accepted by current medical practice become available  
792 and practical in the judgment of the department. The department  
793 shall also promote the identification and screening of all  
794 newborns in this state and their families for environmental risk  
795 factors such as low income, poor education, maternal and family  
796 stress, emotional instability, substance abuse, and other high-  
797 risk conditions associated with increased risk of infant  
798 mortality and morbidity to provide early intervention,  
799 remediation, and prevention services, including, but not limited  
800 to, parent support and training programs, home visitation, and





801 case management. Identification, perinatal screening, and  
802 intervention efforts shall begin prior to and immediately  
803 following the birth of the child by the attending health care  
804 provider. Such efforts shall be conducted in hospitals,  
805 perinatal centers, county health departments, school health  
806 programs that provide prenatal care, and birthing centers, and  
807 reported to the Office of Vital Statistics.

808 (c) Release of screening results.—Notwithstanding any law  
809 to the contrary, the State Public Health Laboratory may release,  
810 directly or through the Children's Medical Services program, the  
811 results of a newborn's hearing and metabolic tests or screenings  
812 to the newborn's health care practitioner, the newborn's parent  
813 or legal guardian, the newborn's personal representative, or a  
814 person designated by the newborn's parent or legal guardian. As  
815 used in this paragraph, the term "health care practitioner"  
816 means a physician or physician assistant licensed under chapter  
817 458; an osteopathic physician or physician assistant licensed  
818 under chapter 459; an advanced practice registered nurse  
819 ~~advanced registered nurse practitioner~~, registered nurse, or  
820 licensed practical nurse licensed under part I of chapter 464; a  
821 midwife licensed under chapter 467; a speech-language  
822 pathologist or audiologist licensed under part I of chapter 468;  
823 or a dietician or nutritionist licensed under part X of chapter  
824 468.

825 Section 18. Paragraph (c) of subsection (1) of section



826 383.141, Florida Statutes, is amended to read:

827 383.141 Prenatally diagnosed conditions; patient to be  
828 provided information; definitions; information clearinghouse;  
829 advisory council.—

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

831 (c) "Health care provider" means a practitioner licensed  
832 or registered under chapter 458 or chapter 459 or an advanced  
833 practice registered nurse licensed ~~advanced registered nurse~~  
834 ~~practitioner certified~~ under chapter 464.

835 Section 19. Paragraph (a) of subsection (7) of section  
836 384.27, Florida Statutes, is amended to read:

837 384.27 Physical examination and treatment.—

838 (7) (a) A health care practitioner licensed under chapter  
839 458, ~~or~~ chapter 459, ~~or certified under~~ s. 464.012 may provide  
840 expedited partner therapy if the following requirements are met:

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

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

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

848 Section 20. Paragraph (a) of subsection (3) of section  
849 390.0111, Florida Statutes, is amended to read:

850 390.0111 Termination of pregnancies.—



851 (3) CONSENTS REQUIRED.—A termination of pregnancy may not  
852 be performed or induced except with the voluntary and informed  
853 written consent of the pregnant woman or, in the case of a  
854 mental incompetent, the voluntary and informed written consent  
855 of her court-appointed guardian.

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

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

862 a. The nature and risks of undergoing or not undergoing  
863 the proposed procedure that a reasonable patient would consider  
864 material to making a knowing and willful decision of whether to  
865 terminate a pregnancy.

866 b. The probable gestational age of the fetus, verified by  
867 an ultrasound, at the time the termination of pregnancy is to be  
868 performed.

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

874 (II) The person performing the ultrasound must offer the  
875 woman the opportunity to view the live ultrasound images and



876 | hear an explanation of them. If the woman accepts the  
877 | opportunity to view the images and hear the explanation, a  
878 | physician or a registered nurse, licensed practical nurse,  
879 | advanced practice registered nurse ~~advanced registered nurse~~  
880 | ~~practitioner~~, or physician assistant working in conjunction with  
881 | the physician must contemporaneously review and explain the  
882 | images to the woman before the woman gives informed consent to  
883 | having an abortion procedure performed.

884 |         (III) The woman has a right to decline to view and hear  
885 | the explanation of the live ultrasound images after she is  
886 | informed of her right and offered an opportunity to view the  
887 | images and hear the explanation. If the woman declines, the  
888 | woman shall complete a form acknowledging that she was offered  
889 | an opportunity to view and hear the explanation of the images  
890 | but that she declined that opportunity. The form must also  
891 | indicate that the woman's decision was not based on any undue  
892 | influence from any person to discourage her from viewing the  
893 | images or hearing the explanation and that she declined of her  
894 | own free will.

895 |         (IV) Unless requested by the woman, the person performing  
896 | the ultrasound may not offer the opportunity to view the images  
897 | and hear the explanation and the explanation may not be given  
898 | if, at the time the woman schedules or arrives for her  
899 | appointment to obtain an abortion, a copy of a restraining  
900 | order, police report, medical record, or other court order or



901 documentation is presented which provides evidence that the  
902 woman is obtaining the abortion because the woman is a victim of  
903 rape, incest, domestic violence, or human trafficking or that  
904 the woman has been diagnosed as having a condition that, on the  
905 basis of a physician's good faith clinical judgment, would  
906 create a serious risk of substantial and irreversible impairment  
907 of a major bodily function if the woman delayed terminating her  
908 pregnancy.

909 c. The medical risks to the woman and fetus of carrying  
910 the pregnancy to term.

911  
912 The physician may provide the information required in this  
913 subparagraph within 24 hours before the procedure if requested  
914 by the woman at the time she schedules or arrives for her  
915 appointment to obtain an abortion and if she presents to the  
916 physician a copy of a restraining order, police report, medical  
917 record, or other court order or documentation evidencing that  
918 she is obtaining the abortion because she is a victim of rape,  
919 incest, domestic violence, or human trafficking.

920 2. Printed materials prepared and provided by the  
921 department have been provided to the pregnant woman, if she  
922 chooses to view these materials, including:

923 a. A description of the fetus, including a description of  
924 the various stages of development.

925 b. A list of entities that offer alternatives to



926 terminating the pregnancy.

927 c. Detailed information on the availability of medical  
928 assistance benefits for prenatal care, childbirth, and neonatal  
929 care.

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

933

934 Nothing in this paragraph is intended to prohibit a physician  
935 from providing any additional information which the physician  
936 deems material to the woman's informed decision to terminate her  
937 pregnancy.

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

940 390.012 Powers of agency; rules; disposal of fetal  
941 remains.—

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

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

948 1. The abortion clinic designate a medical director who is  
949 licensed to practice medicine in this state, and all physicians  
950 who perform abortions in the clinic have admitting privileges at



951 a hospital within reasonable proximity to the clinic, unless the  
952 clinic has a written patient transfer agreement with a hospital  
953 within reasonable proximity to the clinic which includes the  
954 transfer of the patient's medical records held by both the  
955 clinic and the treating physician.

956 2. If a physician is not present after an abortion is  
957 performed, a registered nurse, licensed practical nurse,  
958 advanced practice registered nurse ~~advanced registered nurse~~  
959 ~~practitioner~~, or physician assistant be present and remain at  
960 the clinic to provide postoperative monitoring and care until  
961 the patient is discharged.

962 3. Surgical assistants receive training in counseling,  
963 patient advocacy, and the specific responsibilities associated  
964 with the services the surgical assistants provide.

965 4. Volunteers receive training in the specific  
966 responsibilities associated with the services the volunteers  
967 provide, including counseling and patient advocacy as provided  
968 in the rules adopted by the director for different types of  
969 volunteers based on their responsibilities.

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

972 1. That a physician, registered nurse, licensed practical  
973 nurse, advanced practice registered nurse ~~advanced registered~~  
974 ~~nurse practitioner~~, or physician assistant is available to all  
975 patients throughout the abortion procedure.



976           2. Standards for the safe conduct of abortion procedures  
977 that conform to obstetric standards in keeping with established  
978 standards of care regarding the estimation of fetal age as  
979 defined in rule.

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

982           4. Appropriate precautions, such as the establishment of  
983 intravenous access at least for patients undergoing post-first  
984 trimester abortions.

985           5. Appropriate monitoring of the vital signs and other  
986 defined signs and markers of the patient's status throughout the  
987 abortion procedure and during the recovery period until the  
988 patient's condition is deemed to be stable in the recovery room.

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

991           1. Postprocedure recovery rooms be supervised and staffed  
992 to meet the patients' needs.

993           2. Immediate postprocedure care consist of observation in  
994 a supervised recovery room for as long as the patient's  
995 condition warrants.

996           3. A registered nurse, licensed practical nurse, advanced  
997 practice registered nurse ~~advanced registered nurse~~  
998 ~~practitioner~~, or physician assistant who is trained in the  
999 management of the recovery area and is capable of providing  
1000 basic cardiopulmonary resuscitation and related emergency





1001 procedures remain on the premises of the abortion clinic until  
1002 all patients are discharged.

1003 4. A physician sign the discharge order and be readily  
1004 accessible and available until the last patient is discharged to  
1005 facilitate the transfer of emergency cases if hospitalization of  
1006 the patient or viable fetus is necessary.

1007 5. A physician discuss Rho(D) immune globulin with each  
1008 patient for whom it is indicated and ensure that it is offered  
1009 to the patient in the immediate postoperative period or will be  
1010 available to her within 72 hours after completion of the  
1011 abortion procedure. If the patient refuses the Rho(D) immune  
1012 globulin, she and a witness must sign a refusal form approved by  
1013 the agency which must be included in the medical record.

1014 6. Written instructions with regard to postabortion  
1015 coitus, signs of possible problems, and general aftercare which  
1016 are specific to the patient be given to each patient. The  
1017 instructions must include information regarding access to  
1018 medical care for complications, including a telephone number for  
1019 use in the event of a medical emergency.

1020 7. A minimum length of time be specified, by type of  
1021 abortion procedure and duration of gestation, during which a  
1022 patient must remain in the recovery room.

1023 8. The physician ensure that, with the patient's consent,  
1024 a registered nurse, licensed practical nurse, advanced practice  
1025 registered nurse ~~advanced registered nurse practitioner~~, or



1026 physician assistant from the abortion clinic makes a good faith  
1027 effort to contact the patient by telephone within 24 hours after  
1028 surgery to assess the patient's recovery.

1029 9. Equipment and services be readily accessible to provide  
1030 appropriate emergency resuscitative and life support procedures  
1031 pending the transfer of the patient or viable fetus to the  
1032 hospital.

1033 Section 22. Subsections (35) and (44) of section 394.455,  
1034 Florida Statutes, are amended to read:

1035 394.455 Definitions.—As used in this part, the term:

1036 (35) "Psychiatric nurse" means an advanced practice  
1037 registered nurse licensed ~~advanced registered nurse practitioner~~  
1038 ~~certified~~ under s. 464.012 who has a master's or doctoral degree  
1039 in psychiatric nursing, holds a national advanced practice  
1040 certification as a psychiatric mental health advanced practice  
1041 nurse, and has 2 years of post-master's clinical experience  
1042 under the supervision of a physician.

1043 (44) "Service provider" means a receiving facility, a  
1044 facility licensed under chapter 397, a treatment facility, an  
1045 entity under contract with the department to provide mental  
1046 health or substance abuse services, a community mental health  
1047 center or clinic, a psychologist, a clinical social worker, a  
1048 marriage and family therapist, a mental health counselor, a  
1049 physician, a psychiatrist, an advanced practice registered nurse  
1050 ~~advanced registered nurse practitioner~~, a psychiatric nurse, or



1051 a qualified professional as defined in s. 39.01.

1052 Section 23. Paragraphs (a) and (b) of subsection (2) and  
1053 subsection (4) of section 395.0191, Florida Statutes, are  
1054 amended to read:

1055 395.0191 Staff membership and clinical privileges.—

1056 (2) (a) Each licensed facility shall establish rules and  
1057 procedures for consideration of an application for clinical  
1058 privileges submitted by an advanced practice registered nurse  
1059 ~~advanced registered nurse practitioner~~ licensed and certified  
1060 under part I of chapter 464, in accordance with the provisions  
1061 of this section. No licensed facility shall deny such  
1062 application solely because the applicant is licensed under part  
1063 I of chapter 464 or because the applicant is not a participant  
1064 in the Florida Birth-Related Neurological Injury Compensation  
1065 Plan.

1066 (b) An advanced practice registered nurse ~~advanced~~  
1067 ~~registered nurse practitioner~~ who is certified as a registered  
1068 nurse anesthetist licensed under part I of chapter 464 shall  
1069 administer anesthesia under the onsite medical direction of a  
1070 professional licensed under chapter 458, chapter 459, or chapter  
1071 466, and in accordance with an established protocol approved by  
1072 the medical staff. The medical direction shall specifically  
1073 address the needs of the individual patient.

1074 (4) Nothing herein shall restrict in any way the authority  
1075 of the medical staff of a licensed facility to review for



1076 approval or disapproval all applications for appointment and  
1077 reappointment to all categories of staff and to make  
1078 recommendations on each applicant to the governing board,  
1079 including the delineation of privileges to be granted in each  
1080 case. In making such recommendations and in the delineation of  
1081 privileges, each applicant shall be considered individually  
1082 pursuant to criteria for a doctor licensed under chapter 458,  
1083 chapter 459, chapter 461, or chapter 466, or for an advanced  
1084 practice registered nurse ~~advanced registered nurse practitioner~~  
1085 licensed ~~and certified~~ under part I of chapter 464, or for a  
1086 psychologist licensed under chapter 490, as applicable. The  
1087 applicant's eligibility for staff membership or clinical  
1088 privileges shall be determined by the applicant's background,  
1089 experience, health, training, and demonstrated competency; the  
1090 applicant's adherence to applicable professional ethics; the  
1091 applicant's reputation; and the applicant's ability to work with  
1092 others and by such other elements as determined by the governing  
1093 board, consistent with this part.

1094 Section 24. Subsection (34) of section 397.311, Florida  
1095 Statutes, is amended to read:

1096 397.311 Definitions.—As used in this chapter, except part  
1097 VIII, the term:

1098 (34) "Qualified professional" means a physician or a  
1099 physician assistant licensed under chapter 458 or chapter 459; a  
1100 professional licensed under chapter 490 or chapter 491; an



1101 advanced practice registered nurse ~~advanced registered nurse~~  
1102 ~~practitioner~~ licensed under part I of chapter 464; or a person  
1103 who is certified through a department-recognized certification  
1104 process for substance abuse treatment services and who holds, at  
1105 a minimum, a bachelor's degree. A person who is certified in  
1106 substance abuse treatment services by a state-recognized  
1107 certification process in another state at the time of employment  
1108 with a licensed substance abuse provider in this state may  
1109 perform the functions of a qualified professional as defined in  
1110 this chapter but must meet certification requirements contained  
1111 in this subsection no later than 1 year after his or her date of  
1112 employment.

1113 Section 25. Section 397.4012, Florida Statutes, is amended  
1114 to read:

1115 397.4012 Exemptions from licensure.—The following are  
1116 exempt from the licensing provisions of this chapter:

1117 (1) A hospital or hospital-based component licensed under  
1118 chapter 395.

1119 (2) A nursing home facility as defined in s. 400.021.

1120 (3) A substance abuse education program established  
1121 pursuant to s. 1003.42.

1122 (4) A facility or institution operated by the Federal  
1123 Government.

1124 (5) A physician or physician assistant licensed under  
1125 chapter 458 or chapter 459.



- 1126           (6) A psychologist licensed under chapter 490.
- 1127           (7) A social worker, marriage and family therapist, or  
1128 mental health counselor licensed under chapter 491.
- 1129           (8) A legally cognizable church or nonprofit religious  
1130 organization or denomination providing substance abuse services,  
1131 including prevention services, which are solely religious,  
1132 spiritual, or ecclesiastical in nature. A church or nonprofit  
1133 religious organization or denomination providing any of the  
1134 licensed service components itemized under s. 397.311(26) is not  
1135 exempt from substance abuse licensure but retains its exemption  
1136 with respect to all services which are solely religious,  
1137 spiritual, or ecclesiastical in nature.
- 1138           (9) Facilities licensed under chapter 393 which, in  
1139 addition to providing services to persons with developmental  
1140 disabilities, also provide services to persons developmentally  
1141 at risk as a consequence of exposure to alcohol or other legal  
1142 or illegal drugs while in utero.
- 1143           (10) DUI education and screening services provided  
1144 pursuant to ss. 316.192, 316.193, 322.095, 322.271, and 322.291.  
1145 Persons or entities providing treatment services must be  
1146 licensed under this chapter unless exempted from licensing as  
1147 provided in this section.
- 1148           (11) A facility licensed under s. 394.875 as a crisis  
1149 stabilization unit.
- 1150



1151 The exemptions from licensure in this section do not apply to  
1152 any service provider that receives an appropriation, grant, or  
1153 contract from the state to operate as a service provider as  
1154 defined in this chapter or to any substance abuse program  
1155 regulated pursuant to s. 397.4014. Furthermore, this chapter may  
1156 not be construed to limit the practice of a physician or  
1157 physician assistant licensed under chapter 458 or chapter 459, a  
1158 psychologist licensed under chapter 490, a psychotherapist  
1159 licensed under chapter 491, or an advanced practice registered  
1160 nurse ~~advanced registered nurse practitioner~~ licensed under part  
1161 I of chapter 464, who provides substance abuse treatment, so  
1162 long as the physician, physician assistant, psychologist,  
1163 psychotherapist, or advanced practice registered nurse ~~advanced~~  
1164 ~~registered nurse practitioner~~ does not represent to the public  
1165 that he or she is a licensed service provider and does not  
1166 provide services to individuals pursuant to part V of this  
1167 chapter. Failure to comply with any requirement necessary to  
1168 maintain an exempt status under this section is a misdemeanor of  
1169 the first degree, punishable as provided in s. 775.082 or s.  
1170 775.083.

1171 Section 26. Subsections (4), (7), and (8) of section  
1172 397.427, Florida Statutes, are amended to read:

1173 397.427 Medication-assisted treatment service providers;  
1174 rehabilitation program; needs assessment and provision of  
1175 services; persons authorized to issue takeout medication;



1176 | unlawful operation; penalty.—

1177 |       (4) Notwithstanding s. 465.019(2), a physician assistant,  
1178 | a registered nurse, an advanced practice registered nurse  
1179 | ~~advanced registered nurse practitioner~~, or a licensed practical  
1180 | nurse working for a licensed service provider may deliver  
1181 | takeout medication for opiate treatment to persons enrolled in a  
1182 | maintenance treatment program for medication-assisted treatment  
1183 | for opiate addiction if:

1184 |       (a) The medication-assisted treatment program for opiate  
1185 | addiction has an appropriate valid permit issued pursuant to  
1186 | rules adopted by the Board of Pharmacy;

1187 |       (b) The medication for treatment of opiate addiction has  
1188 | been delivered pursuant to a valid prescription written by the  
1189 | program's physician licensed pursuant to chapter 458 or chapter  
1190 | 459;

1191 |       (c) The medication for treatment of opiate addiction which  
1192 | is ordered appears on a formulary and is prepackaged and  
1193 | prelabeled with dosage instructions and distributed from a  
1194 | source authorized under chapter 499;

1195 |       (d) Each licensed provider adopts written protocols which  
1196 | provide for supervision of the physician assistant, registered  
1197 | nurse, advanced practice registered nurse ~~advanced registered~~  
1198 | ~~nurse practitioner~~, or licensed practical nurse by a physician  
1199 | licensed pursuant to chapter 458 or chapter 459 and for the  
1200 | procedures by which patients' medications may be delivered by





1201 the physician assistant, registered nurse, advanced practice  
1202 registered nurse ~~advanced registered nurse practitioner~~, or  
1203 licensed practical nurse. Such protocols shall be signed by the  
1204 supervising physician and either the administering registered  
1205 nurse, the advanced practice registered nurse ~~advanced~~  
1206 ~~registered nurse practitioner~~, or the licensed practical nurse.

1207 (e) Each licensed service provider maintains and has  
1208 available for inspection by representatives of the Board of  
1209 Pharmacy all medical records and patient care protocols,  
1210 including records of medications delivered to patients, in  
1211 accordance with the board.

1212 (7) A physician assistant, a registered nurse, an advanced  
1213 practice registered nurse ~~advanced registered nurse~~  
1214 ~~practitioner~~, or a licensed practical nurse working for a  
1215 licensed service provider may deliver medication as prescribed  
1216 by rule if:

1217 (a) The service provider is authorized to provide  
1218 medication-assisted treatment;

1219 (b) The medication has been administered pursuant to a  
1220 valid prescription written by the program's physician who is  
1221 licensed under chapter 458 or chapter 459; and

1222 (c) The medication ordered appears on a formulary or meets  
1223 federal requirements for medication-assisted treatment.

1224 (8) Each licensed service provider that provides  
1225 medication-assisted treatment must adopt written protocols as



1226 specified by the department and in accordance with federally  
1227 required rules, regulations, or procedures. The protocol shall  
1228 provide for the supervision of the physician assistant,  
1229 registered nurse, advanced practice registered nurse ~~advanced~~  
1230 ~~registered nurse practitioner~~, or licensed practical nurse  
1231 working under the supervision of a physician who is licensed  
1232 under chapter 458 or chapter 459. The protocol must specify how  
1233 the medication will be used in conjunction with counseling or  
1234 psychosocial treatment and that the services provided will be  
1235 included on the treatment plan. The protocol must specify the  
1236 procedures by which medication-assisted treatment may be  
1237 administered by the physician assistant, registered nurse,  
1238 advanced practice registered nurse ~~advanced registered nurse~~  
1239 ~~practitioner~~, or licensed practical nurse. These protocols shall  
1240 be signed by the supervising physician and the administering  
1241 physician assistant, registered nurse, advanced practice  
1242 registered nurse ~~advanced registered nurse practitioner~~, or  
1243 licensed practical nurse.

1244 Section 27. Section 397.679, Florida Statutes, is amended  
1245 to read:

1246 397.679 Emergency admission; circumstances justifying.—A  
1247 person who meets the criteria for involuntary admission in s.  
1248 397.675 may be admitted to a hospital or to a licensed  
1249 detoxification facility or addictions receiving facility for  
1250 emergency assessment and stabilization, or to a less intensive



1251 component of a licensed service provider for assessment only,  
1252 upon receipt by the facility of a certificate by a physician, an  
1253 advanced practice registered nurse ~~advanced registered nurse~~  
1254 ~~practitioner~~, a psychiatric nurse, a clinical psychologist, a  
1255 clinical social worker, a marriage and family therapist, a  
1256 mental health counselor, a physician assistant working under the  
1257 scope of practice of the supervising physician, or a master's-  
1258 level-certified addictions professional for substance abuse  
1259 services, if the certificate is specific to substance abuse  
1260 impairment, and the completion of an application for emergency  
1261 admission.

1262 Section 28. Subsection (1) of section 397.6793, Florida  
1263 Statutes, is amended to read:

1264 397.6793 Professional's certificate for emergency  
1265 admission.—

1266 (1) A physician, a clinical psychologist, a physician  
1267 assistant working under the scope of practice of the supervising  
1268 physician, a psychiatric nurse, an advanced practice registered  
1269 nurse ~~advanced registered nurse practitioner~~, a mental health  
1270 counselor, a marriage and family therapist, a master's-level-  
1271 certified addictions professional for substance abuse services,  
1272 or a clinical social worker may execute a professional's  
1273 certificate for emergency admission. The professional's  
1274 certificate must include the name of the person to be admitted,  
1275 the relationship between the person and the professional



1276 | executing the certificate, the relationship between the  
1277 | applicant and the professional, any relationship between the  
1278 | professional and the licensed service provider, a statement that  
1279 | the person has been examined and assessed within the preceding 5  
1280 | days after the application date, and factual allegations with  
1281 | respect to the need for emergency admission, including:

1282 |       (a) The reason for the belief that the person is substance  
1283 | abuse impaired;

1284 |       (b) The reason for the belief that because of such  
1285 | impairment the person has lost the power of self-control with  
1286 | respect to substance abuse; and

1287 |       (c)1. The reason for the belief that, without care or  
1288 | treatment, the person is likely to suffer from neglect or refuse  
1289 | to care for himself or herself; that such neglect or refusal  
1290 | poses a real and present threat of substantial harm to his or  
1291 | her well-being; and that it is not apparent that such harm may  
1292 | be avoided through the help of willing family members or friends  
1293 | or the provision of other services, or there is substantial  
1294 | likelihood that the person has inflicted or, unless admitted, is  
1295 | likely to inflict, physical harm on himself, herself, or  
1296 | another; or

1297 |       2. The reason for the belief that the person's refusal to  
1298 | voluntarily receive care is based on judgment so impaired by  
1299 | reason of substance abuse that the person is incapable of  
1300 | appreciating his or her need for care and of making a rational



1301 decision regarding his or her need for care.

1302 Section 29. Subsection (8) of section 400.021, Florida  
 1303 Statutes, is amended to read:

1304 400.021 Definitions.—When used in this part, unless the  
 1305 context otherwise requires, the term:

1306 (8) "Geriatric outpatient clinic" means a site for  
 1307 providing outpatient health care to persons 60 years of age or  
 1308 older, which is staffed by a registered nurse, a physician  
 1309 assistant, or a licensed practical nurse under the direct  
 1310 supervision of a registered nurse, advanced practice registered  
 1311 nurse ~~advanced registered nurse practitioner~~, physician  
 1312 assistant, or physician.

1313 Section 30. Subsection (3) of section 400.462, Florida  
 1314 Statutes, is amended to read:

1315 400.462 Definitions.—As used in this part, the term:

1316 (3) "Advanced practice registered nurse" ~~"Advanced~~  
 1317 ~~registered nurse practitioner"~~ means a person licensed in this  
 1318 state to practice professional nursing and certified in advanced  
 1319 or specialized nursing practice, as defined in s. 464.003.

1320 Section 31. Section 400.487, Florida Statutes, is amended  
 1321 to read:

1322 400.487 Home health service agreements; physician's,  
 1323 physician assistant's, and advanced practice registered nurse's  
 1324 ~~advanced registered nurse practitioner's~~ treatment orders;  
 1325 patient assessment; establishment and review of plan of care;



1326 provision of services; orders not to resuscitate.—

1327 (1) Services provided by a home health agency must be  
1328 covered by an agreement between the home health agency and the  
1329 patient or the patient's legal representative specifying the  
1330 home health services to be provided, the rates or charges for  
1331 services paid with private funds, and the sources of payment,  
1332 which may include Medicare, Medicaid, private insurance,  
1333 personal funds, or a combination thereof. A home health agency  
1334 providing skilled care must make an assessment of the patient's  
1335 needs within 48 hours after the start of services.

1336 (2) When required by the provisions of chapter 464; part  
1337 I, part III, or part V of chapter 468; or chapter 486, the  
1338 attending physician, physician assistant, or advanced practice  
1339 registered nurse ~~advanced registered nurse practitioner~~, acting  
1340 within his or her respective scope of practice, shall establish  
1341 treatment orders for a patient who is to receive skilled care.  
1342 The treatment orders must be signed by the physician, physician  
1343 assistant, or advanced practice registered nurse ~~advanced~~  
1344 ~~registered nurse practitioner~~ before a claim for payment for the  
1345 skilled services is submitted by the home health agency. If the  
1346 claim is submitted to a managed care organization, the treatment  
1347 orders must be signed within the time allowed under the provider  
1348 agreement. The treatment orders shall be reviewed, as frequently  
1349 as the patient's illness requires, by the physician, physician  
1350 assistant, or advanced practice registered nurse ~~advanced~~



1351 ~~registered nurse practitioner~~ in consultation with the home  
1352 health agency.

1353 (3) A home health agency shall arrange for supervisory  
1354 visits by a registered nurse to the home of a patient receiving  
1355 home health aide services in accordance with the patient's  
1356 direction, approval, and agreement to pay the charge for the  
1357 visits.

1358 (4) Each patient has the right to be informed of and to  
1359 participate in the planning of his or her care. Each patient  
1360 must be provided, upon request, a copy of the plan of care  
1361 established and maintained for that patient by the home health  
1362 agency.

1363 (5) When nursing services are ordered, the home health  
1364 agency to which a patient has been admitted for care must  
1365 provide the initial admission visit, all service evaluation  
1366 visits, and the discharge visit by a direct employee. Services  
1367 provided by others under contractual arrangements to a home  
1368 health agency must be monitored and managed by the admitting  
1369 home health agency. The admitting home health agency is fully  
1370 responsible for ensuring that all care provided through its  
1371 employees or contract staff is delivered in accordance with this  
1372 part and applicable rules.

1373 (6) The skilled care services provided by a home health  
1374 agency, directly or under contract, must be supervised and  
1375 coordinated in accordance with the plan of care.



1376 (7) Home health agency personnel may withhold or withdraw  
1377 cardiopulmonary resuscitation if presented with an order not to  
1378 resuscitate executed pursuant to s. 401.45. The agency shall  
1379 adopt rules providing for the implementation of such orders.  
1380 Home health personnel and agencies shall not be subject to  
1381 criminal prosecution or civil liability, nor be considered to  
1382 have engaged in negligent or unprofessional conduct, for  
1383 withholding or withdrawing cardiopulmonary resuscitation  
1384 pursuant to such an order and rules adopted by the agency.

1385 Section 32. Paragraph (a) of subsection (13) of section  
1386 400.506, Florida Statutes, is amended to read:

1387 400.506 Licensure of nurse registries; requirements;  
1388 penalties.—

1389 (13) All persons referred for contract in private  
1390 residences by a nurse registry must comply with the following  
1391 requirements for a plan of treatment:

1392 (a) When, in accordance with the privileges and  
1393 restrictions imposed upon a nurse under part I of chapter 464,  
1394 the delivery of care to a patient is under the direction or  
1395 supervision of a physician or when a physician is responsible  
1396 for the medical care of the patient, a medical plan of treatment  
1397 must be established for each patient receiving care or treatment  
1398 provided by a licensed nurse in the home. The original medical  
1399 plan of treatment must be timely signed by the physician,  
1400 physician assistant, or advanced practice registered nurse





1401 ~~advanced registered nurse practitioner~~, acting within his or her  
1402 respective scope of practice, and reviewed in consultation with  
1403 the licensed nurse at least every 2 months. Any additional order  
1404 or change in orders must be obtained from the physician,  
1405 physician assistant, or advanced practice registered nurse  
1406 ~~advanced registered nurse practitioner~~ and reduced to writing  
1407 and timely signed by the physician, physician assistant, or  
1408 advanced practice registered nurse ~~advanced registered nurse~~  
1409 ~~practitioner~~. The delivery of care under a medical plan of  
1410 treatment must be substantiated by the appropriate nursing notes  
1411 or documentation made by the nurse in compliance with nursing  
1412 practices established under part I of chapter 464.

1413 Section 33. Subsections (5) and (7) of section 400.9973,  
1414 Florida Statutes, are amended to read:

1415 400.9973 Client admission, transfer, and discharge.—

1416 (5) A client admitted to a transitional living facility  
1417 must be admitted upon prescription by a licensed physician,  
1418 physician assistant, or advanced practice registered nurse  
1419 ~~advanced registered nurse practitioner~~ and must remain under the  
1420 care of a licensed physician, physician assistant, or advanced  
1421 practice registered nurse ~~advanced registered nurse practitioner~~  
1422 for the duration of the client's stay in the facility.

1423 (7) A person may not be admitted to a transitional living  
1424 facility if the person:

1425 (a) Presents significant risk of infection to other



1426 clients or personnel. A health care practitioner must provide  
1427 documentation that the person is free of apparent signs and  
1428 symptoms of communicable disease;

1429 (b) Is a danger to himself or herself or others as  
1430 determined by a physician, physician assistant, advanced  
1431 practice registered nurse, ~~or advanced registered nurse~~  
1432 ~~practitioner~~ or a mental health practitioner licensed under  
1433 chapter 490 or chapter 491, unless the facility provides  
1434 adequate staffing and support to ensure patient safety;

1435 (c) Is bedridden; or

1436 (d) Requires 24-hour nursing supervision.

1437 Section 34. Subsection (1) and paragraphs (a) and (b) of  
1438 subsection (2) of section 400.9974, Florida Statutes, are  
1439 amended to read:

1440 400.9974 Client comprehensive treatment plans; client  
1441 services.—

1442 (1) A transitional living facility shall develop a  
1443 comprehensive treatment plan for each client as soon as  
1444 practicable but no later than 30 days after the initial  
1445 comprehensive treatment plan is developed. The comprehensive  
1446 treatment plan must be developed by an interdisciplinary team  
1447 consisting of the case manager, the program director, the  
1448 advanced practice registered nurse ~~advanced registered nurse~~  
1449 ~~practitioner~~, and appropriate therapists. The client or, if  
1450 appropriate, the client's representative must be included in



1451 developing the comprehensive treatment plan. The comprehensive  
1452 treatment plan must be reviewed and updated if the client fails  
1453 to meet projected improvements outlined in the plan or if a  
1454 significant change in the client's condition occurs. The  
1455 comprehensive treatment plan must be reviewed and updated at  
1456 least once monthly.

1457 (2) The comprehensive treatment plan must include:

1458 (a) Orders obtained from the physician, physician  
1459 assistant, or advanced practice registered nurse ~~advanced~~  
1460 ~~registered nurse practitioner~~ and the client's diagnosis,  
1461 medical history, physical examination, and rehabilitative or  
1462 restorative needs.

1463 (b) A preliminary nursing evaluation, including orders for  
1464 immediate care provided by the physician, physician assistant,  
1465 or advanced practice registered nurse ~~advanced registered nurse~~  
1466 ~~practitioner~~, which shall be completed when the client is  
1467 admitted.

1468 Section 35. Section 400.9976, Florida Statutes, is amended  
1469 to read:

1470 400.9976 Administration of medication.—

1471 (1) An individual medication administration record must be  
1472 maintained for each client. A dose of medication, including a  
1473 self-administered dose, shall be properly recorded in the  
1474 client's record. A client who self-administers medication shall  
1475 be given a pill organizer. Medication must be placed in the pill



1476 organizer by a nurse. A nurse shall document the date and time  
1477 that medication is placed into each client's pill organizer. All  
1478 medications must be administered in compliance with orders of a  
1479 physician, physician assistant, or advanced practice registered  
1480 nurse ~~advanced registered nurse practitioner~~.

1481 (2) If an interdisciplinary team determines that self-  
1482 administration of medication is an appropriate objective, and if  
1483 the physician, physician assistant, or advanced practice  
1484 registered nurse ~~advanced registered nurse practitioner~~ does not  
1485 specify otherwise, the client must be instructed by the  
1486 physician, physician assistant, or advanced practice registered  
1487 nurse ~~advanced registered nurse practitioner~~ to self-administer  
1488 his or her medication without the assistance of a staff person.  
1489 All forms of self-administration of medication, including  
1490 administration orally, by injection, and by suppository, shall  
1491 be included in the training. The client's physician, physician  
1492 assistant, or advanced practice registered nurse ~~advanced~~  
1493 ~~registered nurse practitioner~~ must be informed of the  
1494 interdisciplinary team's decision that self-administration of  
1495 medication is an objective for the client. A client may not  
1496 self-administer medication until he or she demonstrates the  
1497 competency to take the correct medication in the correct dosage  
1498 at the correct time, to respond to missed doses, and to contact  
1499 the appropriate person with questions.

1500 (3) Medication administration discrepancies and adverse



1501 drug reactions must be recorded and reported immediately to a  
1502 physician, physician assistant, or advanced practice registered  
1503 nurse ~~advanced registered nurse practitioner~~.

1504 Section 36. Subsections (2) through (5) of section  
1505 400.9979, Florida Statutes, are amended to read:

1506 400.9979 Restraint and seclusion; client safety.—

1507 (2) The use of physical restraints must be ordered and  
1508 documented by a physician, physician assistant, or advanced  
1509 practice registered nurse ~~advanced registered nurse practitioner~~  
1510 and must be consistent with the policies and procedures adopted  
1511 by the facility. The client or, if applicable, the client's  
1512 representative shall be informed of the facility's physical  
1513 restraint policies and procedures when the client is admitted.

1514 (3) The use of chemical restraints shall be limited to  
1515 prescribed dosages of medications as ordered by a physician,  
1516 physician assistant, or advanced practice registered nurse  
1517 ~~advanced registered nurse practitioner~~ and must be consistent  
1518 with the client's diagnosis and the policies and procedures  
1519 adopted by the facility. The client and, if applicable, the  
1520 client's representative shall be informed of the facility's  
1521 chemical restraint policies and procedures when the client is  
1522 admitted.

1523 (4) Based on the assessment by a physician, physician  
1524 assistant, or advanced practice registered nurse ~~advanced~~  
1525 ~~registered nurse practitioner~~, if a client exhibits symptoms



1526 that present an immediate risk of injury or death to himself or  
1527 herself or others, a physician, physician assistant, or advanced  
1528 practice registered nurse ~~advanced registered nurse practitioner~~  
1529 may issue an emergency treatment order to immediately administer  
1530 rapid-response psychotropic medications or other chemical  
1531 restraints. Each emergency treatment order must be documented  
1532 and maintained in the client's record.

1533 (a) An emergency treatment order is not effective for more  
1534 than 24 hours.

1535 (b) Whenever a client is medicated under this subsection,  
1536 the client's representative or a responsible party and the  
1537 client's physician, physician assistant, or advanced practice  
1538 registered nurse ~~advanced registered nurse practitioner~~ shall be  
1539 notified as soon as practicable.

1540 (5) A client who is prescribed and receives a medication  
1541 that can serve as a chemical restraint for a purpose other than  
1542 an emergency treatment order must be evaluated by his or her  
1543 physician, physician assistant, or advanced practice registered  
1544 nurse ~~advanced registered nurse practitioner~~ at least monthly to  
1545 assess:

1546 (a) The continued need for the medication.

1547 (b) The level of the medication in the client's blood.

1548 (c) The need for adjustments to the prescription.

1549 Section 37. Subsections (1) and (2) of section 401.445,  
1550 Florida Statutes, are amended to read:



1551           401.445 Emergency examination and treatment of  
1552 incapacitated persons.—

1553           (1) No recovery shall be allowed in any court in this  
1554 state against any emergency medical technician, paramedic, or  
1555 physician as defined in this chapter, any advanced practice  
1556 registered nurse licensed ~~advanced registered nurse practitioner~~  
1557 ~~certified~~ under s. 464.012, or any physician assistant licensed  
1558 under s. 458.347 or s. 459.022, or any person acting under the  
1559 direct medical supervision of a physician, in an action brought  
1560 for examining or treating a patient without his or her informed  
1561 consent if:

1562           (a) The patient at the time of examination or treatment is  
1563 intoxicated, under the influence of drugs, or otherwise  
1564 incapable of providing informed consent as provided in s.  
1565 766.103;

1566           (b) The patient at the time of examination or treatment is  
1567 experiencing an emergency medical condition; and

1568           (c) The patient would reasonably, under all the  
1569 surrounding circumstances, undergo such examination, treatment,  
1570 or procedure if he or she were advised by the emergency medical  
1571 technician, paramedic, physician, advanced practice registered  
1572 nurse ~~advanced registered nurse practitioner~~, or physician  
1573 assistant in accordance with s. 766.103(3).

1574  
1575 Examination and treatment provided under this subsection shall



1576 | be limited to reasonable examination of the patient to determine  
1577 | the medical condition of the patient and treatment reasonably  
1578 | necessary to alleviate the emergency medical condition or to  
1579 | stabilize the patient.

1580 |         (2) In examining and treating a person who is apparently  
1581 | intoxicated, under the influence of drugs, or otherwise  
1582 | incapable of providing informed consent, the emergency medical  
1583 | technician, paramedic, physician, advanced practice registered  
1584 | nurse ~~advanced registered nurse practitioner~~, or physician  
1585 | assistant, or any person acting under the direct medical  
1586 | supervision of a physician, shall proceed wherever possible with  
1587 | the consent of the person. If the person reasonably appears to  
1588 | be incapacitated and refuses his or her consent, the person may  
1589 | be examined, treated, or taken to a hospital or other  
1590 | appropriate treatment resource if he or she is in need of  
1591 | emergency attention, without his or her consent, but  
1592 | unreasonable force shall not be used.

1593 |         Section 38. Subsection (1) of section 409.905, Florida  
1594 | Statutes, is amended to read:

1595 |         409.905 Mandatory Medicaid services.—The agency may make  
1596 | payments for the following services, which are required of the  
1597 | state by Title XIX of the Social Security Act, furnished by  
1598 | Medicaid providers to recipients who are determined to be  
1599 | eligible on the dates on which the services were provided. Any  
1600 | service under this section shall be provided only when medically





1601 necessary and in accordance with state and federal law.  
1602 Mandatory services rendered by providers in mobile units to  
1603 Medicaid recipients may be restricted by the agency. Nothing in  
1604 this section shall be construed to prevent or limit the agency  
1605 from adjusting fees, reimbursement rates, lengths of stay,  
1606 number of visits, number of services, or any other adjustments  
1607 necessary to comply with the availability of moneys and any  
1608 limitations or directions provided for in the General  
1609 Appropriations Act or chapter 216.

1610 (1) ADVANCED PRACTICE REGISTERED NURSE ~~ADVANCED REGISTERED~~  
1611 ~~NURSE PRACTITIONER~~ SERVICES.—The agency shall pay for services  
1612 provided to a recipient by a licensed advanced practice  
1613 registered nurse ~~advanced registered nurse practitioner~~ who has  
1614 a valid collaboration agreement with a licensed physician on  
1615 file with the Department of Health or who provides anesthesia  
1616 services in accordance with established protocol required by  
1617 state law and approved by the medical staff of the facility in  
1618 which the anesthetic service is performed. Reimbursement for  
1619 such services must be provided in an amount that equals not less  
1620 than 80 percent of the reimbursement to a physician who provides  
1621 the same services, unless otherwise provided for in the General  
1622 Appropriations Act.

1623 Section 39. Paragraph (a) of subsection (3) and subsection  
1624 (7) of section 409.908, Florida Statutes, are amended to read:  
1625 409.908 Reimbursement of Medicaid providers.—Subject to



1626 specific appropriations, the agency shall reimburse Medicaid  
1627 providers, in accordance with state and federal law, according  
1628 to methodologies set forth in the rules of the agency and in  
1629 policy manuals and handbooks incorporated by reference therein.  
1630 These methodologies may include fee schedules, reimbursement  
1631 methods based on cost reporting, negotiated fees, competitive  
1632 bidding pursuant to s. 287.057, and other mechanisms the agency  
1633 considers efficient and effective for purchasing services or  
1634 goods on behalf of recipients. If a provider is reimbursed based  
1635 on cost reporting and submits a cost report late and that cost  
1636 report would have been used to set a lower reimbursement rate  
1637 for a rate semester, then the provider's rate for that semester  
1638 shall be retroactively calculated using the new cost report, and  
1639 full payment at the recalculated rate shall be effected  
1640 retroactively. Medicare-granted extensions for filing cost  
1641 reports, if applicable, shall also apply to Medicaid cost  
1642 reports. Payment for Medicaid compensable services made on  
1643 behalf of Medicaid eligible persons is subject to the  
1644 availability of moneys and any limitations or directions  
1645 provided for in the General Appropriations Act or chapter 216.  
1646 Further, nothing in this section shall be construed to prevent  
1647 or limit the agency from adjusting fees, reimbursement rates,  
1648 lengths of stay, number of visits, or number of services, or  
1649 making any other adjustments necessary to comply with the  
1650 availability of moneys and any limitations or directions



1651 provided for in the General Appropriations Act, provided the  
1652 adjustment is consistent with legislative intent.

1653 (3) Subject to any limitations or directions provided for  
1654 in the General Appropriations Act, the following Medicaid  
1655 services and goods may be reimbursed on a fee-for-service basis.  
1656 For each allowable service or goods furnished in accordance with  
1657 Medicaid rules, policy manuals, handbooks, and state and federal  
1658 law, the payment shall be the amount billed by the provider, the  
1659 provider's usual and customary charge, or the maximum allowable  
1660 fee established by the agency, whichever amount is less, with  
1661 the exception of those services or goods for which the agency  
1662 makes payment using a methodology based on capitation rates,  
1663 average costs, or negotiated fees.

1664 (a) Advanced practice registered nurse ~~Advanced registered~~  
1665 ~~nurse practitioner~~ services.

1666 (7) A provider of family planning services shall be  
1667 reimbursed the lesser of the amount billed by the provider or an  
1668 all-inclusive amount per type of visit for physicians and  
1669 advanced practice registered nurses ~~advanced registered nurse~~  
1670 ~~practitioners~~, as established by the agency in a fee schedule.

1671 Section 40. Paragraph (a) of subsection (1) of section  
1672 409.973, Florida Statutes, is amended to read:

1673 409.973 Benefits.—

1674 (1) MINIMUM BENEFITS.—Managed care plans shall cover, at a  
1675 minimum, the following services:



1676 (a) Advanced practice registered nurse ~~Advanced registered~~  
1677 ~~nurse practitioner~~ services.

1678 Section 41. Effective March 1, 2019, subsection (1) of  
1679 section 409.973, Florida Statutes, as amended by section 1 of  
1680 chapter 2016-109, Laws of Florida, is amended to read:

1681 409.973 Benefits.—

1682 (1) MINIMUM BENEFITS.—Managed care plans shall cover, at a  
1683 minimum, the following services:

1684 (a) Advanced practice registered nurse ~~Advanced registered~~  
1685 ~~nurse practitioner~~ services.

1686 (b) Ambulatory surgical treatment center services.

1687 (c) Birthing center services.

1688 (d) Chiropractic services.

1689 (e) Early periodic screening diagnosis and treatment  
1690 services for recipients under age 21.

1691 (f) Emergency services.

1692 (g) Family planning services and supplies. Pursuant to 42  
1693 C.F.R. s. 438.102, plans may elect to not provide these services  
1694 due to an objection on moral or religious grounds, and must  
1695 notify the agency of that election when submitting a reply to an  
1696 invitation to negotiate.

1697 (h) Healthy start services, except as provided in s.  
1698 409.975(4).

1699 (i) Hearing services.

1700 (j) Home health agency services.



- 1701 (k) Hospice services.
- 1702 (l) Hospital inpatient services.
- 1703 (m) Hospital outpatient services.
- 1704 (n) Laboratory and imaging services.
- 1705 (o) Medical supplies, equipment, prostheses, and orthoses.
- 1706 (p) Mental health services.
- 1707 (q) Nursing care.
- 1708 (r) Optical services and supplies.
- 1709 (s) Optometrist services.
- 1710 (t) Physical, occupational, respiratory, and speech
- 1711 therapy services.
- 1712 (u) Physician services, including physician assistant
- 1713 services.
- 1714 (v) Podiatric services.
- 1715 (w) Prescription drugs.
- 1716 (x) Renal dialysis services.
- 1717 (y) Respiratory equipment and supplies.
- 1718 (z) Rural health clinic services.
- 1719 (aa) Substance abuse treatment services.
- 1720 (bb) Transportation to access covered services.
- 1721 Section 42. Paragraph (a) of subsection (2) and paragraph
- 1722 (a) of subsection (7) of section 429.918, Florida Statutes, are
- 1723 amended to read:
- 1724 429.918 Licensure designation as a specialized Alzheimer's
- 1725 services adult day care center.—



1726 (2) As used in this section, the term:

1727 (a) "ADRD participant" means a participant who has a  
1728 documented diagnosis of Alzheimer's disease or a dementia-  
1729 related disorder (ADRD) from a licensed physician, licensed  
1730 physician assistant, or a licensed advanced practice registered  
1731 nurse ~~advanced registered nurse practitioner~~.

1732 (7) (a) An ADRD participant admitted to an adult day care  
1733 center having a license designated under this section, or the  
1734 caregiver when applicable, must:

1735 1. Require ongoing supervision to maintain the highest  
1736 level of medical or custodial functioning and have a  
1737 demonstrated need for a responsible party to oversee his or her  
1738 care.

1739 2. Not actively demonstrate aggressive behavior that  
1740 places himself, herself, or others at risk of harm.

1741 3. Provide the following medical documentation signed by a  
1742 licensed physician, licensed physician assistant, or a licensed  
1743 advanced practice registered nurse ~~advanced registered nurse~~  
1744 ~~practitioner~~:

1745 a. Any physical, health, or emotional conditions that  
1746 require medical care.

1747 b. A listing of the ADRD participant's current prescribed  
1748 and over-the-counter medications and dosages, diet restrictions,  
1749 mobility restrictions, and other physical limitations.

1750 4. Provide documentation signed by a health care provider



1751 licensed in this state which indicates that the ADRD participant  
1752 is free of the communicable form of tuberculosis and free of  
1753 signs and symptoms of other communicable diseases.

1754 Section 43. Section 456.0391, Florida Statutes, is amended  
1755 to read:

1756 456.0391 Advanced practice registered nurses ~~Advanced~~  
1757 ~~registered nurse practitioners~~; information required for  
1758 licensure certification.—

1759 (1) (a) Each person who applies for initial licensure  
1760 ~~certification~~ under s. 464.012 must, at the time of application,  
1761 and each person licensed ~~certified~~ under s. 464.012 who applies  
1762 for licensure certification renewal must, in conjunction with  
1763 the renewal of such licensure certification and under procedures  
1764 adopted by the Department of Health, and in addition to any  
1765 other information that may be required from the applicant,  
1766 furnish the following information to the Department of Health:

1767 1. The name of each school or training program that the  
1768 applicant has attended, with the months and years of attendance  
1769 and the month and year of graduation, and a description of all  
1770 graduate professional education completed by the applicant,  
1771 excluding any coursework taken to satisfy continuing education  
1772 requirements.

1773 2. The name of each location at which the applicant  
1774 practices.

1775 3. The address at which the applicant will primarily



1776 | conduct his or her practice.

1777 |         4. Any certification or designation that the applicant has  
1778 | received from a specialty or certification board that is  
1779 | recognized or approved by the regulatory board or department to  
1780 | which the applicant is applying.

1781 |         5. The year that the applicant received initial  
1782 | certification or licensure and began practicing the profession  
1783 | in any jurisdiction and the year that the applicant received  
1784 | initial certification or licensure in this state.

1785 |         6. Any appointment which the applicant currently holds to  
1786 | the faculty of a school related to the profession and an  
1787 | indication as to whether the applicant has had the  
1788 | responsibility for graduate education within the most recent 10  
1789 | years.

1790 |         7. A description of any criminal offense of which the  
1791 | applicant has been found guilty, regardless of whether  
1792 | adjudication of guilt was withheld, or to which the applicant  
1793 | has pled guilty or nolo contendere. A criminal offense committed  
1794 | in another jurisdiction which would have been a felony or  
1795 | misdemeanor if committed in this state must be reported. If the  
1796 | applicant indicates that a criminal offense is under appeal and  
1797 | submits a copy of the notice for appeal of that criminal  
1798 | offense, the department must state that the criminal offense is  
1799 | under appeal if the criminal offense is reported in the  
1800 | applicant's profile. If the applicant indicates to the





1801 department that a criminal offense is under appeal, the  
1802 applicant must, within 15 days after the disposition of the  
1803 appeal, submit to the department a copy of the final written  
1804 order of disposition.

1805 8. A description of any final disciplinary action taken  
1806 within the previous 10 years against the applicant by a  
1807 licensing or regulatory body in any jurisdiction, by a specialty  
1808 board that is recognized by the board or department, or by a  
1809 licensed hospital, health maintenance organization, prepaid  
1810 health clinic, ambulatory surgical center, or nursing home.  
1811 Disciplinary action includes resignation from or nonrenewal of  
1812 staff membership or the restriction of privileges at a licensed  
1813 hospital, health maintenance organization, prepaid health  
1814 clinic, ambulatory surgical center, or nursing home taken in  
1815 lieu of or in settlement of a pending disciplinary case related  
1816 to competence or character. If the applicant indicates that the  
1817 disciplinary action is under appeal and submits a copy of the  
1818 document initiating an appeal of the disciplinary action, the  
1819 department must state that the disciplinary action is under  
1820 appeal if the disciplinary action is reported in the applicant's  
1821 profile.

1822 (b) In addition to the information required under  
1823 paragraph (a), each applicant for initial licensure  
1824 ~~certification~~ or licensure ~~certification~~ renewal must provide  
1825 the information required of licensees pursuant to s. 456.049.



1826           (2) The Department of Health shall send a notice to each  
 1827 person licensed ~~certified~~ under s. 464.012 at the licensee's  
 1828 ~~certificateholder's~~ last known address of record regarding the  
 1829 requirements for information to be submitted by advanced  
 1830 practice registered nurses ~~advanced registered nurse~~  
 1831 ~~practitioners~~ pursuant to this section in conjunction with the  
 1832 renewal of such license ~~certificate~~.

1833           (3) Each person licensed ~~certified~~ under s. 464.012 who  
 1834 has submitted information pursuant to subsection (1) must update  
 1835 that information in writing by notifying the Department of  
 1836 Health within 45 days after the occurrence of an event or the  
 1837 attainment of a status that is required to be reported by  
 1838 subsection (1). Failure to comply with the requirements of this  
 1839 subsection to update and submit information constitutes a ground  
 1840 for disciplinary action under chapter 464 and s. 456.072(1)(k).  
 1841 For failure to comply with the requirements of this subsection  
 1842 to update and submit information, the department or board, as  
 1843 appropriate, may:

1844           (a) Refuse to issue a license ~~certificate~~ to any person  
 1845 applying for initial licensure ~~certification~~ who fails to submit  
 1846 and update the required information.

1847           (b) Issue a citation to any certificateholder or licensee  
 1848 who fails to submit and update the required information and may  
 1849 fine the certificateholder or licensee up to \$50 for each day  
 1850 that the certificateholder or licensee is not in compliance with



1851 | this subsection. The citation must clearly state that the  
1852 | certificateholder or licensee may choose, in lieu of accepting  
1853 | the citation, to follow the procedure under s. 456.073. If the  
1854 | certificateholder or licensee disputes the matter in the  
1855 | citation, the procedures set forth in s. 456.073 must be  
1856 | followed. However, if the certificateholder or licensee does not  
1857 | dispute the matter in the citation with the department within 30  
1858 | days after the citation is served, the citation becomes a final  
1859 | order and constitutes discipline. Service of a citation may be  
1860 | made by personal service or certified mail, restricted delivery,  
1861 | to the subject at the certificateholder's or licensee's last  
1862 | known address.

1863 |       (4) (a) An applicant for initial licensure ~~certification~~  
1864 | under s. 464.012 must submit a set of fingerprints to the  
1865 | Department of Health on a form and under procedures specified by  
1866 | the department, along with payment in an amount equal to the  
1867 | costs incurred by the Department of Health for a national  
1868 | criminal history check of the applicant.

1869 |       (b) An applicant for renewed licensure ~~certification~~ who  
1870 | has not previously submitted a set of fingerprints to the  
1871 | Department of Health for purposes of certification must submit a  
1872 | set of fingerprints to the department as a condition of the  
1873 | initial renewal of his or her certificate after the effective  
1874 | date of this section. The applicant must submit the fingerprints  
1875 | on a form and under procedures specified by the department,



1876 along with payment in an amount equal to the costs incurred by  
1877 the Department of Health for a national criminal history check.  
1878 For subsequent renewals, the applicant for renewed licensure  
1879 ~~certification~~ must only submit information necessary to conduct  
1880 a statewide criminal history check, along with payment in an  
1881 amount equal to the costs incurred by the Department of Health  
1882 for a statewide criminal history check.

1883 (c)1. The Department of Health shall submit the  
1884 fingerprints provided by an applicant for initial licensure  
1885 ~~certification~~ to the Florida Department of Law Enforcement for a  
1886 statewide criminal history check, and the Florida Department of  
1887 Law Enforcement shall forward the fingerprints to the Federal  
1888 Bureau of Investigation for a national criminal history check of  
1889 the applicant.

1890 2. The department shall submit the fingerprints provided  
1891 by an applicant for the initial renewal of licensure  
1892 ~~certification~~ to the Florida Department of Law Enforcement for a  
1893 statewide criminal history check, and the Florida Department of  
1894 Law Enforcement shall forward the fingerprints to the Federal  
1895 Bureau of Investigation for a national criminal history check  
1896 for the initial renewal of the applicant's certificate after the  
1897 effective date of this section.

1898 3. For any subsequent renewal of the applicant's  
1899 certificate, the department shall submit the required  
1900 information for a statewide criminal history check of the



1901 applicant to the Florida Department of Law Enforcement.

1902 (d) Any applicant for initial licensure ~~certification~~ or

1903 renewal of licensure ~~certification~~ as an advanced practice

1904 registered nurse ~~advanced registered nurse practitioner~~ who

1905 submits to the Department of Health a set of fingerprints and

1906 information required for the criminal history check required

1907 under this section shall not be required to provide a subsequent

1908 set of fingerprints or other duplicate information required for

1909 a criminal history check to the Agency for Health Care

1910 Administration, the Department of Juvenile Justice, or the

1911 Department of Children and Families for employment or licensure

1912 with such agency or department, if the applicant has undergone a

1913 criminal history check as a condition of initial licensure

1914 ~~certification~~ or renewal of licensure ~~certification~~ as an

1915 advanced practice registered nurse ~~advanced registered nurse~~

1916 ~~practitioner~~ with the Department of Health, notwithstanding any

1917 other provision of law to the contrary. In lieu of such

1918 duplicate submission, the Agency for Health Care Administration,

1919 the Department of Juvenile Justice, and the Department of

1920 Children and Families shall obtain criminal history information

1921 for employment or licensure of persons licensed ~~certified~~ under

1922 s. 464.012 by such agency or department from the Department of

1923 Health's health care practitioner credentialing system.

1924 (5) Each person who is required to submit information

1925 pursuant to this section may submit additional information to



1926 | the Department of Health. Such information may include, but is  
 1927 | not limited to:

1928 |       (a) Information regarding publications in peer-reviewed  
 1929 | professional literature within the previous 10 years.

1930 |       (b) Information regarding professional or community  
 1931 | service activities or awards.

1932 |       (c) Languages, other than English, used by the applicant  
 1933 | to communicate with patients or clients and identification of  
 1934 | any translating service that may be available at the place where  
 1935 | the applicant primarily conducts his or her practice.

1936 |       (d) An indication of whether the person participates in  
 1937 | the Medicaid program.

1938 |       Section 44. Subsection (2) of section 456.0392, Florida  
 1939 | Statutes, is amended to read:

1940 |       456.0392 Prescription labeling.—

1941 |       (2) A prescription for a drug that is not listed as a  
 1942 | controlled substance in chapter 893 which is written by an  
 1943 | advanced practice registered nurse licensed ~~advanced registered~~  
 1944 | ~~nurse practitioner certified~~ under s. 464.012 is presumed,  
 1945 | subject to rebuttal, to be valid and within the parameters of  
 1946 | the prescriptive authority delegated by a practitioner licensed  
 1947 | under chapter 458, chapter 459, or chapter 466.

1948 |       Section 45. Paragraph (a) of subsection (1) and subsection  
 1949 | (6) of section 456.041, Florida Statutes, are amended to read:

1950 |       456.041 Practitioner profile; creation.—



1951 (1) (a) The Department of Health shall compile the  
1952 information submitted pursuant to s. 456.039 into a practitioner  
1953 profile of the applicant submitting the information, except that  
1954 the Department of Health shall develop a format to compile  
1955 uniformly any information submitted under s. 456.039(4)(b).  
1956 Beginning July 1, 2001, the Department of Health may compile the  
1957 information submitted pursuant to s. 456.0391 into a  
1958 practitioner profile of the applicant submitting the  
1959 information. The protocol submitted pursuant to s. 464.012(3)  
1960 must be included in the practitioner profile of the advanced  
1961 practice registered nurse ~~advanced registered nurse~~  
1962 ~~practitioner~~.

1963 (6) The Department of Health shall provide in each  
1964 practitioner profile for every physician or advanced practice  
1965 registered nurse ~~advanced registered nurse practitioner~~  
1966 terminated for cause from participating in the Medicaid program,  
1967 pursuant to s. 409.913, or sanctioned by the Medicaid program a  
1968 statement that the practitioner has been terminated from  
1969 participating in the Florida Medicaid program or sanctioned by  
1970 the Medicaid program.

1971 Section 46. Subsection (1) of section 456.048, Florida  
1972 Statutes, is amended to read:

1973 456.048 Financial responsibility requirements for certain  
1974 health care practitioners.—

1975 (1) As a prerequisite for licensure or license renewal,



1976 | the Board of Acupuncture, the Board of Chiropractic Medicine,  
 1977 | the Board of Podiatric Medicine, and the Board of Dentistry  
 1978 | shall, by rule, require that all health care practitioners  
 1979 | licensed under the respective board, and the Board of Medicine  
 1980 | and the Board of Osteopathic Medicine shall, by rule, require  
 1981 | that all anesthesiologist assistants licensed pursuant to s.  
 1982 | 458.3475 or s. 459.023, and the Board of Nursing shall, by rule,  
 1983 | require that advanced practice registered nurses licensed  
 1984 | ~~advanced registered nurse practitioners certified~~ under s.  
 1985 | 464.012, and the department shall, by rule, require that  
 1986 | midwives maintain medical malpractice insurance or provide proof  
 1987 | of financial responsibility in an amount and in a manner  
 1988 | determined by the board or department to be sufficient to cover  
 1989 | claims arising out of the rendering of or failure to render  
 1990 | professional care and services in this state.

1991 | Section 47. Subsection (7) of section 456.072, Florida  
 1992 | Statutes, is amended to read:

1993 | 456.072 Grounds for discipline; penalties; enforcement.—

1994 | (7) Notwithstanding subsection (2), upon a finding that a  
 1995 | physician has prescribed or dispensed a controlled substance, or  
 1996 | caused a controlled substance to be prescribed or dispensed, in  
 1997 | a manner that violates the standard of practice set forth in s.  
 1998 | 458.331(1)(q) or (t), s. 459.015(1)(t) or (x), s. 461.013(1)(o)  
 1999 | or (s), or s. 466.028(1)(p) or (x), or that an advanced practice  
 2000 | registered nurse ~~advanced registered nurse practitioner~~ has





2001 | prescribed or dispensed a controlled substance, or caused a  
 2002 | controlled substance to be prescribed or dispensed, in a manner  
 2003 | that violates the standard of practice set forth in s.  
 2004 | 464.018(1)(n) or (p)6., the physician or advanced practice  
 2005 | registered nurse ~~advanced registered nurse practitioner~~ shall be  
 2006 | suspended for a period of not less than 6 months and pay a fine  
 2007 | of not less than \$10,000 per count. Repeated violations shall  
 2008 | result in increased penalties.

2009 |         Section 48. Paragraph (g) of subsection (1) and subsection  
 2010 | (2) of section 456.44, Florida Statutes, are amended to read:

2011 |             456.44 Controlled substance prescribing.—

2012 |             (1) DEFINITIONS.—As used in this section, the term:

2013 |             (g) "Registrant" means a physician, a physician assistant,  
 2014 | or an advanced practice registered nurse ~~advanced registered~~  
 2015 | ~~nurse practitioner~~ who meets the requirements of subsection (2).

2016 |             (2) REGISTRATION.—A physician licensed under chapter 458,  
 2017 | chapter 459, chapter 461, or chapter 466, a physician assistant  
 2018 | licensed under chapter 458 or chapter 459, or an advanced  
 2019 | practice registered nurse licensed ~~advanced registered nurse~~  
 2020 | ~~practitioner certified~~ under part I of chapter 464 who  
 2021 | prescribes any controlled substance, listed in Schedule II,  
 2022 | Schedule III, or Schedule IV as defined in s. 893.03, for the  
 2023 | treatment of chronic nonmalignant pain, must:

2024 |             (a) Designate himself or herself as a controlled substance  
 2025 | prescribing practitioner on his or her practitioner profile.



2026 (b) Comply with the requirements of this section and  
2027 applicable board rules.

2028 Section 49. Paragraph (c) of subsection (2) of section  
2029 458.3265, Florida Statutes, is amended to read:

2030 458.3265 Pain-management clinics.—

2031 (2) PHYSICIAN RESPONSIBILITIES.—These responsibilities  
2032 apply to any physician who provides professional services in a  
2033 pain-management clinic that is required to be registered in  
2034 subsection (1).

2035 (c) A physician, a physician assistant, or an advanced  
2036 practice registered nurse ~~advanced registered nurse practitioner~~  
2037 must perform a physical examination of a patient on the same day  
2038 that the physician prescribes a controlled substance to a  
2039 patient at a pain-management clinic. If the physician prescribes  
2040 more than a 72-hour dose of controlled substances for the  
2041 treatment of chronic nonmalignant pain, the physician must  
2042 document in the patient's record the reason for prescribing that  
2043 quantity.

2044 Section 50. Paragraph (dd) of subsection (1) of section  
2045 458.331, Florida Statutes, is amended to read:

2046 458.331 Grounds for disciplinary action; action by the  
2047 board and department.—

2048 (1) The following acts constitute grounds for denial of a  
2049 license or disciplinary action, as specified in s. 456.072(2):

2050 (dd) Failing to supervise adequately the activities of



2051 those physician assistants, paramedics, emergency medical  
2052 technicians, advanced practice registered nurses ~~advanced~~  
2053 ~~registered nurse practitioners~~, or anesthesiologist assistants  
2054 acting under the supervision of the physician.

2055 Section 51. Paragraph (a) of subsection (1) and subsection  
2056 (3) of section 458.348, Florida Statutes, are amended to read:

2057 458.348 Formal supervisory relationships, standing orders,  
2058 and established protocols; notice; standards.—

2059 (1) NOTICE.—

2060 (a) When a physician enters into a formal supervisory  
2061 relationship or standing orders with an emergency medical  
2062 technician or paramedic licensed pursuant to s. 401.27, which  
2063 relationship or orders contemplate the performance of medical  
2064 acts, or when a physician enters into an established protocol  
2065 with an advanced practice registered nurse ~~advanced registered~~  
2066 ~~nurse practitioner~~, which protocol contemplates the performance  
2067 of medical acts set forth in s. 464.012(3) and (4), the  
2068 physician shall submit notice to the board. The notice shall  
2069 contain a statement in substantially the following form:

2070  
2071 I, ...(name and professional license number of  
2072 physician)..., of ...(address of physician)... have hereby  
2073 entered into a formal supervisory relationship, standing orders,  
2074 or an established protocol with ...(number of persons)...  
2075 emergency medical technician(s), ...(number of persons)...



2076 paramedic(s), or ... (number of persons)... advanced practice  
2077 registered nurse(s) ~~advanced registered nurse practitioner(s)~~.

2078  
2079 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—

2080 A physician who supervises an advanced practice registered nurse  
2081 ~~advanced registered nurse practitioner~~ or physician assistant at  
2082 a medical office other than the physician's primary practice  
2083 location, where the advanced practice registered nurse ~~advanced~~  
2084 ~~registered nurse practitioner~~ or physician assistant is not  
2085 under the onsite supervision of a supervising physician, must  
2086 comply with the standards set forth in this subsection. For the  
2087 purpose of this subsection, a physician's "primary practice  
2088 location" means the address reflected on the physician's profile  
2089 published pursuant to s. 456.041.

2090 (a) A physician who is engaged in providing primary health  
2091 care services may not supervise more than four offices in  
2092 addition to the physician's primary practice location. For the  
2093 purpose of this subsection, "primary health care" means health  
2094 care services that are commonly provided to patients without  
2095 referral from another practitioner, including obstetrical and  
2096 gynecological services, and excludes practices providing  
2097 primarily dermatologic and skin care services, which include  
2098 aesthetic skin care services.

2099 (b) A physician who is engaged in providing specialty  
2100 health care services may not supervise more than two offices in



2101 addition to the physician's primary practice location. For the  
2102 purpose of this subsection, "specialty health care" means health  
2103 care services that are commonly provided to patients with a  
2104 referral from another practitioner and excludes practices  
2105 providing primarily dermatologic and skin care services, which  
2106 include aesthetic skin care services.

2107 (c) A physician who supervises an advanced practice  
2108 registered nurse ~~advanced registered nurse practitioner~~ or  
2109 physician assistant at a medical office other than the  
2110 physician's primary practice location, where the advanced  
2111 practice registered nurse ~~advanced registered nurse practitioner~~  
2112 or physician assistant is not under the onsite supervision of a  
2113 supervising physician and the services offered at the office are  
2114 primarily dermatologic or skin care services, which include  
2115 aesthetic skin care services other than plastic surgery, must  
2116 comply with the standards listed in subparagraphs 1.-4.  
2117 Notwithstanding s. 458.347(4)(e)6., a physician supervising a  
2118 physician assistant pursuant to this paragraph may not be  
2119 required to review and cosign charts or medical records prepared  
2120 by such physician assistant.

2121 1. The physician shall submit to the board the addresses  
2122 of all offices where he or she is supervising an advanced  
2123 practice registered nurse ~~advanced registered nurse practitioner~~  
2124 or a physician's assistant which are not the physician's primary  
2125 practice location.



2126           2. The physician must be board certified or board eligible  
2127 in dermatology or plastic surgery as recognized by the board  
2128 pursuant to s. 458.3312.

2129           3. All such offices that are not the physician's primary  
2130 place of practice must be within 25 miles of the physician's  
2131 primary place of practice or in a county that is contiguous to  
2132 the county of the physician's primary place of practice.  
2133 However, the distance between any of the offices may not exceed  
2134 75 miles.

2135           4. The physician may supervise only one office other than  
2136 the physician's primary place of practice except that until July  
2137 1, 2011, the physician may supervise up to two medical offices  
2138 other than the physician's primary place of practice if the  
2139 addresses of the offices are submitted to the board before July  
2140 1, 2006. Effective July 1, 2011, the physician may supervise  
2141 only one office other than the physician's primary place of  
2142 practice, regardless of when the addresses of the offices were  
2143 submitted to the board.

2144           (d) A physician who supervises an office in addition to  
2145 the physician's primary practice location must conspicuously  
2146 post in each of the physician's offices a current schedule of  
2147 the regular hours when the physician is present in that office  
2148 and the hours when the office is open while the physician is not  
2149 present.

2150           (e) This subsection does not apply to health care services



2151 provided in facilities licensed under chapter 395 or in  
2152 conjunction with a college of medicine, a college of nursing, an  
2153 accredited graduate medical program, or a nursing education  
2154 program; not-for-profit, family-planning clinics that are not  
2155 licensed pursuant to chapter 390; rural and federally qualified  
2156 health centers; health care services provided in a nursing home  
2157 licensed under part II of chapter 400, an assisted living  
2158 facility licensed under part I of chapter 429, a continuing care  
2159 facility licensed under chapter 651, or a retirement community  
2160 consisting of independent living units and a licensed nursing  
2161 home or assisted living facility; anesthesia services provided  
2162 in accordance with law; health care services provided in a  
2163 designated rural health clinic; health care services provided to  
2164 persons enrolled in a program designed to maintain elderly  
2165 persons and persons with disabilities in a home or community-  
2166 based setting; university primary care student health centers;  
2167 school health clinics; or health care services provided in  
2168 federal, state, or local government facilities. Subsection (2)  
2169 and this subsection do not apply to offices at which the  
2170 exclusive service being performed is laser hair removal by an  
2171 advanced practice registered nurse ~~advanced registered nurse~~  
2172 ~~practitioner~~ or physician assistant.

2173 Section 52. Paragraph (c) of subsection (2) of section  
2174 459.0137, Florida Statutes, is amended to read:

2175 459.0137 Pain-management clinics.—



2176 (2) PHYSICIAN RESPONSIBILITIES.—These responsibilities  
2177 apply to any osteopathic physician who provides professional  
2178 services in a pain-management clinic that is required to be  
2179 registered in subsection (1).

2180 (c) An osteopathic physician, a physician assistant, or an  
2181 advanced practice registered nurse ~~advanced registered nurse~~  
2182 ~~practitioner~~ must perform a physical examination of a patient on  
2183 the same day that the physician prescribes a controlled  
2184 substance to a patient at a pain-management clinic. If the  
2185 osteopathic physician prescribes more than a 72-hour dose of  
2186 controlled substances for the treatment of chronic nonmalignant  
2187 pain, the osteopathic physician must document in the patient's  
2188 record the reason for prescribing that quantity.

2189 Section 53. Paragraph (hh) of subsection (1) of section  
2190 459.015, Florida Statutes, is amended to read:

2191 459.015 Grounds for disciplinary action; action by the  
2192 board and department.—

2193 (1) The following acts constitute grounds for denial of a  
2194 license or disciplinary action, as specified in s. 456.072(2):

2195 (hh) Failing to supervise adequately the activities of  
2196 those physician assistants, paramedics, emergency medical  
2197 technicians, advanced practice registered nurses ~~advanced~~  
2198 ~~registered nurse practitioners~~, anesthesiologist assistants, or  
2199 other persons acting under the supervision of the osteopathic  
2200 physician.





2201 Section 54. Paragraph (a) of subsection (1) and subsection  
 2202 (3) of section 459.025, Florida Statutes, are amended to read:  
 2203 459.025 Formal supervisory relationships, standing orders,  
 2204 and established protocols; notice; standards.—

2205 (1) NOTICE.—

2206 (a) When an osteopathic physician enters into a formal  
 2207 supervisory relationship or standing orders with an emergency  
 2208 medical technician or paramedic licensed pursuant to s. 401.27,  
 2209 which relationship or orders contemplate the performance of  
 2210 medical acts, or when an osteopathic physician enters into an  
 2211 established protocol with an advanced practice registered nurse  
 2212 ~~advanced registered nurse practitioner~~, which protocol  
 2213 contemplates the performance of medical acts or acts set forth  
 2214 in s. 464.012(3) and (4), the osteopathic physician shall submit  
 2215 notice to the board. The notice must contain a statement in  
 2216 substantially the following form:

2217  
 2218 I, ...(name and professional license number of osteopathic  
 2219 physician)..., of ...(address of osteopathic physician)... have  
 2220 hereby entered into a formal supervisory relationship, standing  
 2221 orders, or an established protocol with ...(number of  
 2222 persons)... emergency medical technician(s), ...(number of  
 2223 persons)... paramedic(s), or ...(number of persons)... advanced  
 2224 practice registered nurse(s) ~~advanced registered nurse~~  
 2225 ~~practitioner(s)~~.



2226 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—  
2227 An osteopathic physician who supervises an advanced practice  
2228 registered nurse ~~advanced registered nurse practitioner~~ or  
2229 physician assistant at a medical office other than the  
2230 osteopathic physician's primary practice location, where the  
2231 advanced practice registered nurse ~~advanced registered nurse~~  
2232 ~~practitioner~~ or physician assistant is not under the onsite  
2233 supervision of a supervising osteopathic physician, must comply  
2234 with the standards set forth in this subsection. For the purpose  
2235 of this subsection, an osteopathic physician's "primary practice  
2236 location" means the address reflected on the physician's profile  
2237 published pursuant to s. 456.041.

2238 (a) An osteopathic physician who is engaged in providing  
2239 primary health care services may not supervise more than four  
2240 offices in addition to the osteopathic physician's primary  
2241 practice location. For the purpose of this subsection, "primary  
2242 health care" means health care services that are commonly  
2243 provided to patients without referral from another practitioner,  
2244 including obstetrical and gynecological services, and excludes  
2245 practices providing primarily dermatologic and skin care  
2246 services, which include aesthetic skin care services.

2247 (b) An osteopathic physician who is engaged in providing  
2248 specialty health care services may not supervise more than two  
2249 offices in addition to the osteopathic physician's primary  
2250 practice location. For the purpose of this subsection,



2251 "specialty health care" means health care services that are  
2252 commonly provided to patients with a referral from another  
2253 practitioner and excludes practices providing primarily  
2254 dermatologic and skin care services, which include aesthetic  
2255 skin care services.

2256 (c) An osteopathic physician who supervises an advanced  
2257 practice registered nurse ~~advanced registered nurse practitioner~~  
2258 or physician assistant at a medical office other than the  
2259 osteopathic physician's primary practice location, where the  
2260 advanced practice registered nurse ~~advanced registered nurse~~  
2261 ~~practitioner~~ or physician assistant is not under the onsite  
2262 supervision of a supervising osteopathic physician and the  
2263 services offered at the office are primarily dermatologic or  
2264 skin care services, which include aesthetic skin care services  
2265 other than plastic surgery, must comply with the standards  
2266 listed in subparagraphs 1.-4. Notwithstanding s.  
2267 459.022(4)(e)6., an osteopathic physician supervising a  
2268 physician assistant pursuant to this paragraph may not be  
2269 required to review and cosign charts or medical records prepared  
2270 by such physician assistant.

2271 1. The osteopathic physician shall submit to the Board of  
2272 Osteopathic Medicine the addresses of all offices where he or  
2273 she is supervising or has a protocol with an advanced practice  
2274 registered nurse ~~advanced registered nurse practitioner~~ or a  
2275 physician ~~physician's~~ assistant which are not the osteopathic



2276 | physician's primary practice location.

2277 |         2. The osteopathic physician must be board certified or  
2278 | board eligible in dermatology or plastic surgery as recognized  
2279 | by the Board of Osteopathic Medicine pursuant to s. 459.0152.

2280 |         3. All such offices that are not the osteopathic  
2281 | physician's primary place of practice must be within 25 miles of  
2282 | the osteopathic physician's primary place of practice or in a  
2283 | county that is contiguous to the county of the osteopathic  
2284 | physician's primary place of practice. However, the distance  
2285 | between any of the offices may not exceed 75 miles.

2286 |         4. The osteopathic physician may supervise only one office  
2287 | other than the osteopathic physician's primary place of practice  
2288 | except that until July 1, 2011, the osteopathic physician may  
2289 | supervise up to two medical offices other than the osteopathic  
2290 | physician's primary place of practice if the addresses of the  
2291 | offices are submitted to the Board of Osteopathic Medicine  
2292 | before July 1, 2006. Effective July 1, 2011, the osteopathic  
2293 | physician may supervise only one office other than the  
2294 | osteopathic physician's primary place of practice, regardless of  
2295 | when the addresses of the offices were submitted to the Board of  
2296 | Osteopathic Medicine.

2297 |         (d) An osteopathic physician who supervises an office in  
2298 | addition to the osteopathic physician's primary practice  
2299 | location must conspicuously post in each of the osteopathic  
2300 | physician's offices a current schedule of the regular hours when



2301 the osteopathic physician is present in that office and the  
 2302 hours when the office is open while the osteopathic physician is  
 2303 not present.

2304 (e) This subsection does not apply to health care services  
 2305 provided in facilities licensed under chapter 395 or in  
 2306 conjunction with a college of medicine or college of nursing or  
 2307 an accredited graduate medical or nursing education program;  
 2308 offices where the only service being performed is hair removal  
 2309 by an advanced practice registered nurse ~~advanced registered~~  
 2310 ~~nurse practitioner~~ or physician assistant; not-for-profit,  
 2311 family-planning clinics that are not licensed pursuant to  
 2312 chapter 390; rural and federally qualified health centers;  
 2313 health care services provided in a nursing home licensed under  
 2314 part II of chapter 400, an assisted living facility licensed  
 2315 under part I of chapter 429, a continuing care facility licensed  
 2316 under chapter 651, or a retirement community consisting of  
 2317 independent living units and either a licensed nursing home or  
 2318 assisted living facility; anesthesia services provided in  
 2319 accordance with law; health care services provided in a  
 2320 designated rural health clinic; health care services provided to  
 2321 persons enrolled in a program designed to maintain elderly  
 2322 persons and persons with disabilities in a home or community-  
 2323 based setting; university primary care student health centers;  
 2324 school health clinics; or health care services provided in  
 2325 federal, state, or local government facilities.



2326 Section 55. Subsection (2) of section 464.003, Florida  
 2327 Statutes, is amended to read:

2328 464.003 Definitions.—As used in this part, the term:

2329 (2) "Advanced or specialized nursing practice" means, in  
 2330 addition to the practice of professional nursing, the  
 2331 performance of advanced-level nursing acts approved by the board  
 2332 which, by virtue of postbasic specialized education, training,  
 2333 and experience, are appropriately performed by an advanced  
 2334 practice registered nurse ~~advanced registered nurse~~  
 2335 ~~practitioner~~. Within the context of advanced or specialized  
 2336 nursing practice, the advanced practice registered nurse  
 2337 ~~advanced registered nurse practitioner~~ may perform acts of  
 2338 nursing diagnosis and nursing treatment of alterations of the  
 2339 health status. The advanced practice registered nurse ~~advanced~~  
 2340 ~~registered nurse practitioner~~ may also perform acts of medical  
 2341 diagnosis and treatment, prescription, and operation as  
 2342 authorized within the framework of an established supervisory  
 2343 protocol. The department may, by rule, require that a copy of  
 2344 the protocol be filed with the department along with the notice  
 2345 required by s. 458.348.

2346 Section 56. Subsection (2) of section 464.004, Florida  
 2347 Statutes, is amended to read:

2348 464.004 Board of Nursing; membership; appointment; terms.—

2349 (2) Seven members of the board must be registered nurses  
 2350 who are residents of this state and who have been engaged in the



2351 practice of professional nursing for at least 4 years, including  
2352 at least one advanced practice registered nurse ~~advanced~~  
2353 ~~registered nurse practitioner~~, one nurse educator member of an  
2354 approved program, and one nurse executive. These seven board  
2355 members should be representative of the diverse areas of  
2356 practice within the nursing profession. In addition, three  
2357 members of the board must be licensed practical nurses who are  
2358 residents of this state and who have been actively engaged in  
2359 the practice of practical nursing for at least 4 years prior to  
2360 their appointment. The remaining three members must be residents  
2361 of the state who have never been licensed as nurses and who are  
2362 in no way connected with the practice of nursing. No person may  
2363 be appointed as a lay member who is in any way connected with,  
2364 or has any financial interest in, any health care facility,  
2365 agency, or insurer. At least one member of the board must be 60  
2366 years of age or older.

2367 Section 57. Paragraph (b) of subsection (3) of section  
2368 464.013, Florida Statutes, is amended to read:

2369 464.013 Renewal of license or certificate.—

2370 (3) The board shall by rule prescribe up to 30 hours of  
2371 continuing education biennially as a condition for renewal of a  
2372 license or certificate.

2373 (b) Notwithstanding the exemption in paragraph (a), as  
2374 part of the maximum 30 hours of continuing education hours  
2375 required under this subsection, advanced practice registered



2376 nurses licensed ~~advanced registered nurse practitioners~~  
2377 ~~certified~~ under s. 464.012 must complete at least 3 hours of  
2378 continuing education on the safe and effective prescription of  
2379 controlled substances. Such continuing education courses must be  
2380 offered by a statewide professional association of physicians in  
2381 this state accredited to provide educational activities  
2382 designated for the American Medical Association Physician's  
2383 Recognition Award Category 1 credit, the American Nurses  
2384 Credentialing Center, the American Association of Nurse  
2385 Anesthetists, or the American Association of Nurse Practitioners  
2386 and may be offered in a distance learning format.

2387 Section 58. Subsections (5) and (8), of section 464.015,  
2388 Florida Statutes, are amended to read:

2389 464.015 Titles and abbreviations; restrictions; penalty.—

2390 (5) Only persons who hold valid licenses ~~certificates~~ to  
2391 practice as clinical nurse specialists in this state may use the  
2392 title "Clinical Nurse Specialist" and the abbreviation "C.N.S."

2393 (8) Only persons who hold valid licenses ~~certificates~~ to  
2394 practice as advanced practice registered nurses ~~advanced~~  
2395 ~~registered nurse practitioners~~ in this state may use the title  
2396 "Advanced Practice Registered Nurse" ~~"Advanced Registered Nurse~~  
2397 ~~Practitioner"~~ and the abbreviation "A.P.R.N." ~~"A.R.N.P."~~

2398 Section 59. Subsection (9) of section 464.015, Florida  
2399 Statutes, as amended by section 9 of chapter 2016-139, Laws of  
2400 Florida, is amended to read:





2401 464.015 Titles and abbreviations; restrictions; penalty.—  
 2402 (9) A person may not practice or advertise as, or assume  
 2403 the title of, registered nurse, licensed practical nurse,  
 2404 clinical nurse specialist, certified registered nurse  
 2405 anesthetist, certified nurse midwife, certified nurse  
 2406 practitioner, or advanced practice registered nurse ~~advanced~~  
 2407 ~~registered nurse practitioner~~ or use the abbreviation "R.N.,"  
 2408 "L.P.N.," "C.N.S.," "C.R.N.A.," "C.N.M.," "C.N.P.," or  
 2409 "A.P.R.N.," "~~A.R.N.P.~~" or take any other action that would lead  
 2410 the public to believe that person was authorized by law to  
 2411 practice as such or is performing nursing services pursuant to  
 2412 the exception set forth in s. 464.022(8) unless that person is  
 2413 licensed, certified, or authorized pursuant to s. 464.0095 to  
 2414 practice as such.

2415 Section 60. Paragraph (a) of subsection (2) of section  
 2416 464.016, Florida Statutes, is amended to read:

2417 464.016 Violations and penalties.—

2418 (2) Each of the following acts constitutes a misdemeanor  
 2419 of the first degree, punishable as provided in s. 775.082 or s.  
 2420 775.083:

2421 (a) Using the name or title "Nurse," "Registered Nurse,"  
 2422 "Licensed Practical Nurse," "Clinical Nurse Specialist,"  
 2423 "Certified Registered Nurse Anesthetist," "Certified Nurse  
 2424 Practitioner," "Certified Nurse Midwife," "Advanced Practice  
 2425 Registered Nurse," "~~Advanced Registered Nurse Practitioner~~," or



2426 any other name or title which implies that a person was licensed  
2427 or certified as same, unless such person is duly licensed or  
2428 certified.

2429 Section 61. Paragraphs (p) and (q) of subsection (1) of  
2430 section 464.018, Florida Statutes, are amended to read:

2431 464.018 Disciplinary actions.—

2432 (1) The following acts constitute grounds for denial of a  
2433 license or disciplinary action, as specified in s. 456.072(2):

2434 (p) For an advanced practice registered nurse ~~advanced~~  
2435 ~~registered nurse practitioner~~:

2436 1. Presigning blank prescription forms.

2437 2. Prescribing for office use any medicinal drug appearing  
2438 on Schedule II in chapter 893.

2439 3. Prescribing, ordering, dispensing, administering,  
2440 supplying, selling, or giving a drug that is an amphetamine, a  
2441 sympathomimetic amine drug, or a compound designated in s.  
2442 893.03(2) as a Schedule II controlled substance, to or for any  
2443 person except for:

2444 a. The treatment of narcolepsy; hyperkinesis; behavioral  
2445 syndrome in children characterized by the developmentally  
2446 inappropriate symptoms of moderate to severe distractibility,  
2447 short attention span, hyperactivity, emotional lability, and  
2448 impulsivity; or drug-induced brain dysfunction.

2449 b. The differential diagnostic psychiatric evaluation of  
2450 depression or the treatment of depression shown to be refractory



2451 to other therapeutic modalities.

2452 c. The clinical investigation of the effects of such drugs  
2453 or compounds when an investigative protocol is submitted to,  
2454 reviewed by, and approved by the department before such  
2455 investigation is begun.

2456 4. Prescribing, ordering, dispensing, administering,  
2457 supplying, selling, or giving growth hormones, testosterone or  
2458 its analogs, human chorionic gonadotropin (HCG), or other  
2459 hormones for the purpose of muscle building or to enhance  
2460 athletic performance. As used in this subparagraph, the term  
2461 "muscle building" does not include the treatment of injured  
2462 muscle. A prescription written for the drug products identified  
2463 in this subparagraph may be dispensed by a pharmacist with the  
2464 presumption that the prescription is for legitimate medical use.

2465 5. Promoting or advertising on any prescription form a  
2466 community pharmacy unless the form also states: "This  
2467 prescription may be filled at any pharmacy of your choice."

2468 6. Prescribing, dispensing, administering, mixing, or  
2469 otherwise preparing a legend drug, including a controlled  
2470 substance, other than in the course of his or her professional  
2471 practice. For the purposes of this subparagraph, it is legally  
2472 presumed that prescribing, dispensing, administering, mixing, or  
2473 otherwise preparing legend drugs, including all controlled  
2474 substances, inappropriately or in excessive or inappropriate  
2475 quantities is not in the best interest of the patient and is not



2476 in the course of the advanced practice registered nurse's  
2477 ~~advanced registered nurse practitioner's~~ professional practice,  
2478 without regard to his or her intent.

2479 7. Prescribing, dispensing, or administering a medicinal  
2480 drug appearing on any schedule set forth in chapter 893 to  
2481 himself or herself, except a drug prescribed, dispensed, or  
2482 administered to the advanced practice registered nurse ~~advanced~~  
2483 ~~registered nurse practitioner~~ by another practitioner authorized  
2484 to prescribe, dispense, or administer medicinal drugs.

2485 8. Prescribing, ordering, dispensing, administering,  
2486 supplying, selling, or giving amygdalin (laetrile) to any  
2487 person.

2488 9. Dispensing a substance designated in s. 893.03(2) or  
2489 (3) as a substance controlled in Schedule II or Schedule III,  
2490 respectively, in violation of s. 465.0276.

2491 10. Promoting or advertising through any communication  
2492 medium the use, sale, or dispensing of a substance designated in  
2493 s. 893.03 as a controlled substance.

2494 (q) For a psychiatric nurse:

2495 1. Presigning blank prescription forms.

2496 2. Prescribing for office use any medicinal drug appearing  
2497 in Schedule II of s. 893.03.

2498 3. Prescribing, ordering, dispensing, administering,  
2499 supplying, selling, or giving a drug that is an amphetamine, a  
2500 sympathomimetic amine drug, or a compound designated in s.



2501 893.03(2) as a Schedule II controlled substance, to or for any  
2502 person except for:

2503 a. The treatment of narcolepsy; hyperkinesis; behavioral  
2504 syndrome in children characterized by the developmentally  
2505 inappropriate symptoms of moderate to severe distractibility,  
2506 short attention span, hyperactivity, emotional lability, and  
2507 impulsivity; or drug-induced brain dysfunction.

2508 b. The differential diagnostic psychiatric evaluation of  
2509 depression or the treatment of depression shown to be refractory  
2510 to other therapeutic modalities.

2511 c. The clinical investigation of the effects of such drugs  
2512 or compounds when an investigative protocol is submitted to,  
2513 reviewed by, and approved by the department before such  
2514 investigation is begun.

2515 4. Prescribing, ordering, dispensing, administering,  
2516 supplying, selling, or giving growth hormones, testosterone or  
2517 its analogs, human chorionic gonadotropin (HCG), or other  
2518 hormones for the purpose of muscle building or to enhance  
2519 athletic performance. As used in this subparagraph, the term  
2520 "muscle building" does not include the treatment of injured  
2521 muscle. A prescription written for the drug products identified  
2522 in this subparagraph may be dispensed by a pharmacist with the  
2523 presumption that the prescription is for legitimate medical use.

2524 5. Promoting or advertising on any prescription form a  
2525 community pharmacy unless the form also states: "This



2526 prescription may be filled at any pharmacy of your choice."

2527         6. Prescribing, dispensing, administering, mixing, or  
2528 otherwise preparing a legend drug, including a controlled  
2529 substance, other than in the course of his or her professional  
2530 practice. For the purposes of this subparagraph, it is legally  
2531 presumed that prescribing, dispensing, administering, mixing, or  
2532 otherwise preparing legend drugs, including all controlled  
2533 substances, inappropriately or in excessive or inappropriate  
2534 quantities is not in the best interest of the patient and is not  
2535 in the course of the advanced practice registered nurse's  
2536 ~~advanced registered nurse practitioner's~~ professional practice,  
2537 without regard to his or her intent.

2538         7. Prescribing, dispensing, or administering a medicinal  
2539 drug appearing on any schedule set forth in chapter 893 to  
2540 himself or herself, except a drug prescribed, dispensed, or  
2541 administered to the psychiatric nurse by another practitioner  
2542 authorized to prescribe, dispense, or administer medicinal  
2543 drugs.

2544         8. Prescribing, ordering, dispensing, administering,  
2545 supplying, selling, or giving amygdalin (laetrile) to any  
2546 person.

2547         9. Dispensing a substance designated in s. 893.03(2) or  
2548 (3) as a substance controlled in Schedule II or Schedule III,  
2549 respectively, in violation of s. 465.0276.

2550         10. Promoting or advertising through any communication



2551 medium the use, sale, or dispensing of a substance designated in  
2552 s. 893.03 as a controlled substance.

2553 Section 62. Paragraph (a) of subsection (4) of section  
2554 464.0205, Florida Statutes, is amended to read:

2555 464.0205 Retired volunteer nurse certificate.—

2556 (4) A retired volunteer nurse receiving certification from  
2557 the board shall:

2558 (a) Work under the direct supervision of the director of a  
2559 county health department, a physician working under a limited  
2560 license issued pursuant to s. 458.317 or s. 459.0075, a  
2561 physician licensed under chapter 458 or chapter 459, an advanced  
2562 practice registered nurse licensed ~~advanced registered nurse~~  
2563 ~~practitioner certified~~ under s. 464.012, or a registered nurse  
2564 licensed under s. 464.008 or s. 464.009.

2565 Section 63. Subsection (2) of section 467.003, Florida  
2566 Statutes, is amended to read:

2567 467.003 Definitions.—As used in this chapter, unless the  
2568 context otherwise requires:

2569 (2) "Certified nurse midwife" means a person who is  
2570 licensed as an advanced practice registered nurse ~~advanced~~  
2571 ~~registered nurse practitioner~~ under part I of chapter 464 and  
2572 who is certified to practice midwifery by the American College  
2573 of Nurse Midwives.

2574 Section 64. Subsection (1) of section 480.0475, Florida  
2575 Statutes, is amended to read:



2576 | 480.0475 Massage establishments; prohibited practices.—

2577 | (1) A person may not operate a massage establishment  
2578 | between the hours of midnight and 5 a.m. This subsection does  
2579 | not apply to a massage establishment:

2580 | (a) Located on the premises of a health care facility as  
2581 | defined in s. 408.07; a health care clinic as defined in s.  
2582 | 400.9905(4); a hotel, motel, or bed and breakfast inn, as those  
2583 | terms are defined in s. 509.242; a timeshare property as defined  
2584 | in s. 721.05; a public airport as defined in s. 330.27; or a  
2585 | pari-mutuel facility as defined in s. 550.002;

2586 | (b) In which every massage performed between the hours of  
2587 | midnight and 5 a.m. is performed by a massage therapist acting  
2588 | under the prescription of a physician or physician assistant  
2589 | licensed under chapter 458, an osteopathic physician or  
2590 | physician assistant licensed under chapter 459, a chiropractic  
2591 | physician licensed under chapter 460, a podiatric physician  
2592 | licensed under chapter 461, an advanced practice registered  
2593 | nurse ~~advanced registered nurse practitioner~~ licensed under part  
2594 | I of chapter 464, or a dentist licensed under chapter 466; or

2595 | (c) Operating during a special event if the county or  
2596 | municipality in which the establishment operates has approved  
2597 | such operation during the special event.

2598 | Section 65. Subsection (7) of section 483.041, Florida  
2599 | Statutes, is amended to read:

2600 | 483.041 Definitions.—As used in this part, the term:





2601 (7) "Licensed practitioner" means a physician licensed  
2602 under chapter 458, chapter 459, chapter 460, or chapter 461; a  
2603 certified optometrist licensed under chapter 463; a dentist  
2604 licensed under chapter 466; a person licensed under chapter 462;  
2605 a consultant pharmacist or doctor of pharmacy licensed under  
2606 chapter 465; or an advanced practice registered nurse ~~advanced~~  
2607 ~~registered nurse practitioner~~ licensed under part I of chapter  
2608 464; or a duly licensed practitioner from another state licensed  
2609 under similar statutes who orders examinations on materials or  
2610 specimens for nonresidents of the State of Florida, but who  
2611 reside in the same state as the requesting licensed  
2612 practitioner.

2613 Section 66. Subsection (5) of section 483.801, Florida  
2614 Statutes, is amended to read:

2615 483.801 Exemptions.—This part applies to all clinical  
2616 laboratories and clinical laboratory personnel within this  
2617 state, except:

2618 (5) Advanced practice registered nurses ~~advanced~~  
2619 ~~registered nurse practitioners~~ licensed under part I of chapter  
2620 464 who perform provider-performed microscopy procedures (PPMP)  
2621 in an exclusive-use laboratory setting.

2622 Section 67. Paragraph (a) of subsection (11) of section  
2623 486.021, Florida Statutes, is amended to read:

2624 486.021 Definitions.—In this chapter, unless the context  
2625 otherwise requires, the term:



2626 (11) "Practice of physical therapy" means the performance  
2627 of physical therapy assessments and the treatment of any  
2628 disability, injury, disease, or other health condition of human  
2629 beings, or the prevention of such disability, injury, disease,  
2630 or other condition of health, and rehabilitation as related  
2631 thereto by the use of the physical, chemical, and other  
2632 properties of air; electricity; exercise; massage; the  
2633 performance of acupuncture only upon compliance with the  
2634 criteria set forth by the Board of Medicine, when no penetration  
2635 of the skin occurs; the use of radiant energy, including  
2636 ultraviolet, visible, and infrared rays; ultrasound; water; the  
2637 use of apparatus and equipment in the application of the  
2638 foregoing or related thereto; the performance of tests of  
2639 neuromuscular functions as an aid to the diagnosis or treatment  
2640 of any human condition; or the performance of electromyography  
2641 as an aid to the diagnosis of any human condition only upon  
2642 compliance with the criteria set forth by the Board of Medicine.

2643 (a) A physical therapist may implement a plan of treatment  
2644 developed by the physical therapist for a patient or provided  
2645 for a patient by a practitioner of record or by an advanced  
2646 practice registered nurse ~~advanced registered nurse practitioner~~  
2647 licensed under s. 464.012. The physical therapist shall refer  
2648 the patient to or consult with a practitioner of record if the  
2649 patient's condition is found to be outside the scope of physical  
2650 therapy. If physical therapy treatment for a patient is required



2651 beyond 30 days for a condition not previously assessed by a  
2652 practitioner of record, the physical therapist shall have a  
2653 practitioner of record review and sign the plan. The requirement  
2654 that a physical therapist have a practitioner of record review  
2655 and sign a plan of treatment does not apply when a patient has  
2656 been physically examined by a physician licensed in another  
2657 state, the patient has been diagnosed by the physician as having  
2658 a condition for which physical therapy is required, and the  
2659 physical therapist is treating the condition. For purposes of  
2660 this paragraph, a health care practitioner licensed under  
2661 chapter 458, chapter 459, chapter 460, chapter 461, or chapter  
2662 466 and engaged in active practice is eligible to serve as a  
2663 practitioner of record.

2664 Section 68. Paragraph (d) of subsection (1) of section  
2665 490.012, Florida Statutes, is amended to read:

2666 490.012 Violations; penalties; injunction.—

2667 (1)

2668 (d) A person may not ~~No person shall~~ hold herself or  
2669 himself out by any title or description incorporating the word,  
2670 or a permutation of the word, "psychotherapy" unless such person  
2671 holds a valid, active license under chapter 458, chapter 459,  
2672 chapter 490, or chapter 491, or such person is licensed  
2673 ~~certified~~ as an advanced practice registered nurse under  
2674 ~~advanced registered nurse practitioner, pursuant to s. 464.012,~~  
2675 who has been determined by the Board of Nursing as a specialist



2676 | in psychiatric mental health.

2677 |       Section 69. Subsection (1) of section 491.0057, Florida  
2678 | Statutes, is amended to read:

2679 |       491.0057 Dual licensure as a marriage and family  
2680 | therapist.—The department shall license as a marriage and family  
2681 | therapist any person who demonstrates to the board that he or  
2682 | she:

2683 |       (1) Holds a valid, active license as a psychologist under  
2684 | chapter 490 or as a clinical social worker or mental health  
2685 | counselor under this chapter, or is licensed ~~certified~~ under s.  
2686 | 464.012 as an advanced practice registered nurse ~~advanced~~  
2687 | ~~registered nurse practitioner~~ who has been determined by the  
2688 | Board of Nursing as a specialist in psychiatric mental health.

2689 |       Section 70. Paragraph (d) of subsection (1) and subsection  
2690 | (2) of section 491.012, Florida Statutes, are amended to read:

2691 |       491.012 Violations; penalty; injunction.—

2692 |       (1) It is unlawful and a violation of this chapter for any  
2693 | person to:

2694 |       (d) Use the terms psychotherapist, sex therapist, or  
2695 | juvenile sexual offender therapist unless such person is  
2696 | licensed pursuant to this chapter or chapter 490, or is licensed  
2697 | ~~certified~~ under s. 464.012 as an advanced practice registered  
2698 | nurse ~~advanced registered nurse practitioner~~ who has been  
2699 | determined by the Board of Nursing as a specialist in  
2700 | psychiatric mental health and the use of such terms is within



2701 the scope of her or his practice based on education, training,  
2702 and licensure.

2703 (2) It is unlawful and a violation of this chapter for any  
2704 person to describe her or his services using the following terms  
2705 or any derivative thereof, unless such person holds a valid,  
2706 active license under this chapter or chapter 490, or is licensed  
2707 ~~certified~~ under s. 464.012 as an advanced practice registered  
2708 nurse ~~advanced registered nurse practitioner~~ who has been  
2709 determined by the Board of Nursing as a specialist in  
2710 psychiatric mental health and the use of such terms is within  
2711 the scope of her or his practice based on education, training,  
2712 and licensure:

- 2713 (a) "Psychotherapy."
- 2714 (b) "Sex therapy."
- 2715 (c) "Sex counseling."
- 2716 (d) "Clinical social work."
- 2717 (e) "Psychiatric social work."
- 2718 (f) "Marriage and family therapy."
- 2719 (g) "Marriage and family counseling."
- 2720 (h) "Marriage counseling."
- 2721 (i) "Family counseling."
- 2722 (j) "Mental health counseling."

2723 Section 71. Subsection (2) of section 493.6108, Florida  
2724 Statutes, is amended to read:

2725 493.6108 Investigation of applicants by Department of



2726 Agriculture and Consumer Services.—

2727       (2) In addition to subsection (1), the department shall  
 2728 make an investigation of the general physical fitness of the  
 2729 Class "G" applicant to bear a weapon or firearm. Determination  
 2730 of physical fitness shall be certified by a physician or  
 2731 physician assistant currently licensed pursuant to chapter 458,  
 2732 chapter 459, or any similar law of another state or authorized  
 2733 to act as a licensed physician by a federal agency or department  
 2734 or by an advanced practice registered nurse ~~advanced registered~~  
 2735 ~~nurse practitioner~~ currently licensed pursuant to chapter 464.  
 2736 Such certification shall be submitted on a form provided by the  
 2737 department.

2738       Section 72. Paragraph (b) of subsection (1) of section  
 2739 627.357, Florida Statutes, is amended to read:

2740       627.357 Medical malpractice self-insurance.—

2741       (1) DEFINITIONS.—As used in this section, the term:

2742       (b) "Health care provider" means any:

2743       1. Hospital licensed under chapter 395.

2744       2. Physician licensed, or physician assistant licensed,  
 2745 under chapter 458.

2746       3. Osteopathic physician or physician assistant licensed  
 2747 under chapter 459.

2748       4. Podiatric physician licensed under chapter 461.

2749       5. Health maintenance organization certificated under part  
 2750 I of chapter 641.



- 2751 6. Ambulatory surgical center licensed under chapter 395.
- 2752 7. Chiropractic physician licensed under chapter 460.
- 2753 8. Psychologist licensed under chapter 490.
- 2754 9. Optometrist licensed under chapter 463.
- 2755 10. Dentist licensed under chapter 466.
- 2756 11. Pharmacist licensed under chapter 465.
- 2757 12. Registered nurse, licensed practical nurse, or
- 2758 advanced practice registered nurse ~~advanced registered nurse~~
- 2759 ~~practitioner~~ licensed or registered under part I of chapter 464.
- 2760 13. Other medical facility.
- 2761 14. Professional association, partnership, corporation,
- 2762 joint venture, or other association established by the
- 2763 individuals set forth in subparagraphs 2., 3., 4., 7., 8., 9.,
- 2764 10., 11., and 12. for professional activity.
- 2765 Section 73. Subsection (6) of section 627.6471, Florida
- 2766 Statutes, is amended to read:
- 2767 627.6471 Contracts for reduced rates of payment;
- 2768 limitations; coinsurance and deductibles.—
- 2769 (6) If psychotherapeutic services are covered by a policy
- 2770 issued by the insurer, the insurer shall provide eligibility
- 2771 criteria for each group of health care providers licensed under
- 2772 chapter 458, chapter 459, chapter 490, or chapter 491, which
- 2773 include psychotherapy within the scope of their practice as
- 2774 provided by law, or for any person who is licensed ~~certified~~ as
- 2775 an advanced practice registered nurse ~~advanced registered nurse~~



2776 ~~practitioner~~ in psychiatric mental health under s. 464.012. When  
2777 psychotherapeutic services are covered, eligibility criteria  
2778 shall be established by the insurer to be included in the  
2779 insurer's criteria for selection of network providers. The  
2780 insurer may not discriminate against a health care provider by  
2781 excluding such practitioner from its provider network solely on  
2782 the basis of the practitioner's license.

2783 Section 74. Subsections (15) and (17) of section 627.6472,  
2784 Florida Statutes, are amended to read:

2785 627.6472 Exclusive provider organizations.—

2786 (15) If psychotherapeutic services are covered by a policy  
2787 issued by the insurer, the insurer shall provide eligibility  
2788 criteria for all groups of health care providers licensed under  
2789 chapter 458, chapter 459, chapter 490, or chapter 491, which  
2790 include psychotherapy within the scope of their practice as  
2791 provided by law, or for any person who is licensed ~~certified~~ as  
2792 an advanced practice registered nurse ~~advanced registered nurse~~  
2793 ~~practitioner~~ in psychiatric mental health under s. 464.012. When  
2794 psychotherapeutic services are covered, eligibility criteria  
2795 shall be established by the insurer to be included in the  
2796 insurer's criteria for selection of network providers. The  
2797 insurer may not discriminate against a health care provider by  
2798 excluding such practitioner from its provider network solely on  
2799 the basis of the practitioner's license.

2800 (17) An exclusive provider organization shall not





2801 discriminate with respect to participation as to any advanced  
2802 practice registered nurse ~~advanced registered nurse practitioner~~  
2803 licensed ~~and certified~~ pursuant to s. 464.012, who is acting  
2804 within the scope of such license ~~and certification~~, solely on  
2805 the basis of such license ~~or certification~~. This subsection  
2806 shall not be construed to prohibit a plan from including  
2807 providers only to the extent necessary to meet the needs of the  
2808 plan's enrollees or from establishing any measure designed to  
2809 maintain quality and control costs consistent with the  
2810 responsibilities of the plan.

2811 Section 75. Paragraph (a) of subsection (1) of section  
2812 627.736, Florida Statutes, is amended to read:

2813 627.736 Required personal injury protection benefits;  
2814 exclusions; priority; claims.—

2815 (1) REQUIRED BENEFITS.—An insurance policy complying with  
2816 the security requirements of s. 627.733 must provide personal  
2817 injury protection to the named insured, relatives residing in  
2818 the same household, persons operating the insured motor vehicle,  
2819 passengers in the motor vehicle, and other persons struck by the  
2820 motor vehicle and suffering bodily injury while not an occupant  
2821 of a self-propelled vehicle, subject to subsection (2) and  
2822 paragraph (4) (e), to a limit of \$10,000 in medical and  
2823 disability benefits and \$5,000 in death benefits resulting from  
2824 bodily injury, sickness, disease, or death arising out of the  
2825 ownership, maintenance, or use of a motor vehicle as follows:



2826 (a) Medical benefits.—Eighty percent of all reasonable  
2827 expenses for medically necessary medical, surgical, X-ray,  
2828 dental, and rehabilitative services, including prosthetic  
2829 devices and medically necessary ambulance, hospital, and nursing  
2830 services if the individual receives initial services and care  
2831 pursuant to subparagraph 1. within 14 days after the motor  
2832 vehicle accident. The medical benefits provide reimbursement  
2833 only for:

2834 1. Initial services and care that are lawfully provided,  
2835 supervised, ordered, or prescribed by a physician licensed under  
2836 chapter 458 or chapter 459, a dentist licensed under chapter  
2837 466, or a chiropractic physician licensed under chapter 460 or  
2838 that are provided in a hospital or in a facility that owns, or  
2839 is wholly owned by, a hospital. Initial services and care may  
2840 also be provided by a person or entity licensed under part III  
2841 of chapter 401 which provides emergency transportation and  
2842 treatment.

2843 2. Upon referral by a provider described in subparagraph  
2844 1., followup services and care consistent with the underlying  
2845 medical diagnosis rendered pursuant to subparagraph 1. which may  
2846 be provided, supervised, ordered, or prescribed only by a  
2847 physician licensed under chapter 458 or chapter 459, a  
2848 chiropractic physician licensed under chapter 460, a dentist  
2849 licensed under chapter 466, or, to the extent permitted by  
2850 applicable law and under the supervision of such physician,



2851 osteopathic physician, chiropractic physician, or dentist, by a  
2852 physician assistant licensed under chapter 458 or chapter 459 or  
2853 an advanced practice registered nurse ~~advanced registered nurse~~  
2854 ~~practitioner~~ licensed under chapter 464. Followup services and  
2855 care may also be provided by the following persons or entities:  
2856       a. A hospital or ambulatory surgical center licensed under  
2857 chapter 395.  
2858       b. An entity wholly owned by one or more physicians  
2859 licensed under chapter 458 or chapter 459, chiropractic  
2860 physicians licensed under chapter 460, or dentists licensed  
2861 under chapter 466 or by such practitioners and the spouse,  
2862 parent, child, or sibling of such practitioners.  
2863       c. An entity that owns or is wholly owned, directly or  
2864 indirectly, by a hospital or hospitals.  
2865       d. A physical therapist licensed under chapter 486, based  
2866 upon a referral by a provider described in this subparagraph.  
2867       e. A health care clinic licensed under part X of chapter  
2868 400 which is accredited by an accrediting organization whose  
2869 standards incorporate comparable regulations required by this  
2870 state, or  
2871           (I) Has a medical director licensed under chapter 458,  
2872 chapter 459, or chapter 460;  
2873           (II) Has been continuously licensed for more than 3 years  
2874 or is a publicly traded corporation that issues securities  
2875 traded on an exchange registered with the United States



2876 Securities and Exchange Commission as a national securities  
 2877 exchange; and

2878 (III) Provides at least four of the following medical  
 2879 specialties:

- 2880 (A) General medicine.
- 2881 (B) Radiography.
- 2882 (C) Orthopedic medicine.
- 2883 (D) Physical medicine.
- 2884 (E) Physical therapy.
- 2885 (F) Physical rehabilitation.
- 2886 (G) Prescribing or dispensing outpatient prescription  
 2887 medication.
- 2888 (H) Laboratory services.

2889 3. Reimbursement for services and care provided in  
 2890 subparagraph 1. or subparagraph 2. up to \$10,000 if a physician  
 2891 licensed under chapter 458 or chapter 459, a dentist licensed  
 2892 under chapter 466, a physician assistant licensed under chapter  
 2893 458 or chapter 459, or an advanced practice registered nurse  
 2894 ~~advanced registered nurse practitioner~~ licensed under chapter  
 2895 464 has determined that the injured person had an emergency  
 2896 medical condition.

2897 4. Reimbursement for services and care provided in  
 2898 subparagraph 1. or subparagraph 2. is limited to \$2,500 if a  
 2899 provider listed in subparagraph 1. or subparagraph 2. determines  
 2900 that the injured person did not have an emergency medical



2901 condition.

2902 5. Medical benefits do not include massage as defined in  
2903 s. 480.033 or acupuncture as defined in s. 457.102, regardless  
2904 of the person, entity, or licensee providing massage or  
2905 acupuncture, and a licensed massage therapist or licensed  
2906 acupuncturist may not be reimbursed for medical benefits under  
2907 this section.

2908 6. The Financial Services Commission shall adopt by rule  
2909 the form that must be used by an insurer and a health care  
2910 provider specified in sub-subparagraph 2.b., sub-subparagraph  
2911 2.c., or sub-subparagraph 2.e. to document that the health care  
2912 provider meets the criteria of this paragraph. Such rule must  
2913 include a requirement for a sworn statement or affidavit.

2914  
2915 Only insurers writing motor vehicle liability insurance in this  
2916 state may provide the required benefits of this section, and  
2917 such insurer may not require the purchase of any other motor  
2918 vehicle coverage other than the purchase of property damage  
2919 liability coverage as required by s. 627.7275 as a condition for  
2920 providing such benefits. Insurers may not require that property  
2921 damage liability insurance in an amount greater than \$10,000 be  
2922 purchased in conjunction with personal injury protection. Such  
2923 insurers shall make benefits and required property damage  
2924 liability insurance coverage available through normal marketing  
2925 channels. An insurer writing motor vehicle liability insurance



2926 | in this state who fails to comply with such availability  
2927 | requirement as a general business practice violates part IX of  
2928 | chapter 626, and such violation constitutes an unfair method of  
2929 | competition or an unfair or deceptive act or practice involving  
2930 | the business of insurance. An insurer committing such violation  
2931 | is subject to the penalties provided under that part, as well as  
2932 | those provided elsewhere in the insurance code.

2933 |       Section 76. Subsection (5) of section 633.412, Florida  
2934 | Statutes, is amended to read:

2935 |       633.412 Firefighters; qualifications for certification.—A  
2936 | person applying for certification as a firefighter must:

2937 |       (5) Be in good physical condition as determined by a  
2938 | medical examination given by a physician, surgeon, or physician  
2939 | assistant licensed to practice in the state pursuant to chapter  
2940 | 458; an osteopathic physician, surgeon, or physician assistant  
2941 | licensed to practice in the state pursuant to chapter 459; or an  
2942 | advanced practice registered nurse ~~advanced registered nurse~~  
2943 | ~~practitioner~~ licensed to practice in the state pursuant to  
2944 | chapter 464. Such examination may include, but need not be  
2945 | limited to, the National Fire Protection Association Standard  
2946 | 1582. A medical examination evidencing good physical condition  
2947 | shall be submitted to the division, on a form as provided by  
2948 | rule, before an individual is eligible for admission into a  
2949 | course under s. 633.408.

2950 |       Section 77. Section 641.3923, Florida Statutes, is amended



2951 to read:

2952           641.3923 Discrimination against providers prohibited.—A  
 2953 health maintenance organization may ~~shall~~ not discriminate with  
 2954 respect to participation as to any advanced practice registered  
 2955 nurse ~~advanced registered nurse practitioner~~ licensed and  
 2956 ~~certified~~ pursuant to s. 464.012, who is acting within the scope  
 2957 of such license ~~and certification~~, solely on the basis of such  
 2958 license ~~or certification~~. This section may ~~shall~~ not be  
 2959 construed to prohibit a plan from including providers only to  
 2960 the extent necessary to meet the needs of the plan's enrollees  
 2961 or from establishing any measure designed to maintain quality  
 2962 and control costs consistent with the responsibilities of the  
 2963 plan.

2964           Section 78. Subsection (3) of section 766.103, Florida  
 2965 Statutes, is amended to read:

2966           766.103 Florida Medical Consent Law.—

2967           (3) No recovery shall be allowed in any court in this  
 2968 state against any physician licensed under chapter 458,  
 2969 osteopathic physician licensed under chapter 459, chiropractic  
 2970 physician licensed under chapter 460, podiatric physician  
 2971 licensed under chapter 461, dentist licensed under chapter 466,  
 2972 advanced practice registered nurse licensed ~~advanced registered~~  
 2973 ~~nurse practitioner certified~~ under s. 464.012, or physician  
 2974 assistant licensed under s. 458.347 or s. 459.022 in an action  
 2975 brought for treating, examining, or operating on a patient



2976 | without his or her informed consent when:

2977 |       (a)1. The action of the physician, osteopathic physician,

2978 |       chiropractic physician, podiatric physician, dentist, advanced

2979 |       practice registered nurse ~~advanced registered nurse~~

2980 |       ~~practitioner~~, or physician assistant in obtaining the consent of

2981 |       the patient or another person authorized to give consent for the

2982 |       patient was in accordance with an accepted standard of medical

2983 |       practice among members of the medical profession with similar

2984 |       training and experience in the same or similar medical community

2985 |       as that of the person treating, examining, or operating on the

2986 |       patient for whom the consent is obtained; and

2987 |       2. A reasonable individual, from the information provided

2988 |       by the physician, osteopathic physician, chiropractic physician,

2989 |       podiatric physician, dentist, advanced practice registered nurse

2990 |       ~~advanced registered nurse practitioner~~, or physician assistant,

2991 |       under the circumstances, would have a general understanding of

2992 |       the procedure, the medically acceptable alternative procedures

2993 |       or treatments, and the substantial risks and hazards inherent in

2994 |       the proposed treatment or procedures, which are recognized among

2995 |       other physicians, osteopathic physicians, chiropractic

2996 |       physicians, podiatric physicians, or dentists in the same or

2997 |       similar community who perform similar treatments or procedures;

2998 |       or

2999 |       (b) The patient would reasonably, under all the

3000 |       surrounding circumstances, have undergone such treatment or





3001 procedure had he or she been advised by the physician,  
 3002 osteopathic physician, chiropractic physician, podiatric  
 3003 physician, dentist, advanced practice registered nurse ~~advanced~~  
 3004 ~~registered nurse practitioner~~, or physician assistant in  
 3005 accordance with the provisions of paragraph (a).

3006 Section 79. Paragraph (d) of subsection (3) of section  
 3007 766.1115, Florida Statutes, is amended to read:

3008 766.1115 Health care providers; creation of agency  
 3009 relationship with governmental contractors.—

3010 (3) DEFINITIONS.—As used in this section, the term:

3011 (d) "Health care provider" or "provider" means:

- 3012 1. A birth center licensed under chapter 383.
- 3013 2. An ambulatory surgical center licensed under chapter  
 3014 395.
- 3015 3. A hospital licensed under chapter 395.
- 3016 4. A physician or physician assistant licensed under  
 3017 chapter 458.
- 3018 5. An osteopathic physician or osteopathic physician  
 3019 assistant licensed under chapter 459.
- 3020 6. A chiropractic physician licensed under chapter 460.
- 3021 7. A podiatric physician licensed under chapter 461.
- 3022 8. A registered nurse, nurse midwife, licensed practical  
 3023 nurse, or advanced practice registered nurse ~~advanced registered~~  
 3024 ~~nurse practitioner~~ licensed or registered under part I of  
 3025 chapter 464 or any facility which employs nurses licensed or



3026 registered under part I of chapter 464 to supply all or part of  
3027 the care delivered under this section.

3028 9. A midwife licensed under chapter 467.

3029 10. A health maintenance organization certificated under  
3030 part I of chapter 641.

3031 11. A health care professional association and its  
3032 employees or a corporate medical group and its employees.

3033 12. Any other medical facility the primary purpose of  
3034 which is to deliver human medical diagnostic services or which  
3035 delivers nonsurgical human medical treatment, and which includes  
3036 an office maintained by a provider.

3037 13. A dentist or dental hygienist licensed under chapter  
3038 466.

3039 14. A free clinic that delivers only medical diagnostic  
3040 services or nonsurgical medical treatment free of charge to all  
3041 low-income recipients.

3042 15. Any other health care professional, practitioner,  
3043 provider, or facility under contract with a governmental  
3044 contractor, including a student enrolled in an accredited  
3045 program that prepares the student for licensure as any one of  
3046 the professionals listed in subparagraphs 4.-9.

3047

3048 The term includes any nonprofit corporation qualified as exempt  
3049 from federal income taxation under s. 501(a) of the Internal  
3050 Revenue Code, and described in s. 501(c) of the Internal Revenue



3051 Code, which delivers health care services provided by licensed  
 3052 professionals listed in this paragraph, any federally funded  
 3053 community health center, and any volunteer corporation or  
 3054 volunteer health care provider that delivers health care  
 3055 services.

3056 Section 80. Subsection (1) of section 766.1116, Florida  
 3057 Statutes, is amended to read:

3058 766.1116 Health care practitioner; waiver of license  
 3059 renewal fees and continuing education requirements.—

3060 (1) As used in this section, the term "health care  
 3061 practitioner" means a physician or physician assistant licensed  
 3062 under chapter 458; an osteopathic physician or physician  
 3063 assistant licensed under chapter 459; a chiropractic physician  
 3064 licensed under chapter 460; a podiatric physician licensed under  
 3065 chapter 461; an advanced practice registered nurse ~~advanced~~  
 3066 ~~registered nurse practitioner~~, registered nurse, or licensed  
 3067 practical nurse licensed under part I of chapter 464; a dentist  
 3068 or dental hygienist licensed under chapter 466; or a midwife  
 3069 licensed under chapter 467, who participates as a health care  
 3070 provider under s. 766.1115.

3071 Section 81. Paragraph (c) of subsection (1) of section  
 3072 766.118, Florida Statutes, is amended to read:

3073 766.118 Determination of noneconomic damages.—

3074 (1) DEFINITIONS.—As used in this section, the term:

3075 (c) "Practitioner" means any person licensed under chapter



3076 458, chapter 459, chapter 460, chapter 461, chapter 462, chapter  
3077 463, chapter 466, chapter 467, ~~or~~ chapter 486 or ~~certified under~~  
3078 s. 464.012. "Practitioner" also means any association,  
3079 corporation, firm, partnership, or other business entity under  
3080 which such practitioner practices or any employee of such  
3081 practitioner or entity acting in the scope of his or her  
3082 employment. For the purpose of determining the limitations on  
3083 noneconomic damages set forth in this section, the term  
3084 "practitioner" includes any person or entity for whom a  
3085 practitioner is vicariously liable and any person or entity  
3086 whose liability is based solely on such person or entity being  
3087 vicariously liable for the actions of a practitioner.

3088 Section 82. Subsection (5) of section 794.08, Florida  
3089 Statutes, is amended to read:

3090 794.08 Female genital mutilation.—

3091 (5) This section does not apply to procedures performed by  
3092 or under the direction of a physician licensed under chapter  
3093 458, an osteopathic physician licensed under chapter 459, a  
3094 registered nurse licensed under part I of chapter 464, a  
3095 practical nurse licensed under part I of chapter 464, an  
3096 advanced practice registered nurse ~~advanced registered nurse~~  
3097 ~~practitioner~~ licensed under part I of chapter 464, a midwife  
3098 licensed under chapter 467, or a physician assistant licensed  
3099 under chapter 458 or chapter 459 when necessary to preserve the  
3100 physical health of a female person. This section also does not



3101 apply to any autopsy or limited dissection conducted pursuant to  
3102 chapter 406.

3103 Section 83. Subsection (23) of section 893.02, Florida  
3104 Statutes, is amended to read:

3105 893.02 Definitions.—The following words and phrases as  
3106 used in this chapter shall have the following meanings, unless  
3107 the context otherwise requires:

3108 (23) "Practitioner" means a physician licensed under  
3109 chapter 458, a dentist licensed under chapter 466, a  
3110 veterinarian licensed under chapter 474, an osteopathic  
3111 physician licensed under chapter 459, an advanced practice  
3112 registered nurse licensed ~~advanced registered nurse practitioner~~  
3113 ~~certified~~ under chapter 464, a naturopath licensed under chapter  
3114 462, a certified optometrist licensed under chapter 463, a  
3115 psychiatric nurse as defined in s. 394.455, a podiatric  
3116 physician licensed under chapter 461, or a physician assistant  
3117 licensed under chapter 458 or chapter 459, provided such  
3118 practitioner holds a valid federal controlled substance registry  
3119 number.

3120 Section 84. Paragraph (b) of subsection (1) of section  
3121 893.05, Florida Statutes, is amended to read:

3122 893.05 Practitioners and persons administering controlled  
3123 substances in their absence.—

3124 (1)

3125 (b) Pursuant to s. 458.347(4)(g), s. 459.022(4)(f), or s.



3126 464.012(3), as applicable, a practitioner who supervises a  
3127 licensed physician assistant or advanced practice registered  
3128 nurse ~~advanced registered nurse practitioner~~ may authorize the  
3129 licensed physician assistant or advanced practice registered  
3130 nurse ~~advanced registered nurse practitioner~~ to order controlled  
3131 substances for administration to a patient in a facility  
3132 licensed under chapter 395 or part II of chapter 400.

3133 Section 85. Subsection (6) of section 943.13, Florida  
3134 Statutes, is amended to read:

3135 943.13 Officers' minimum qualifications for employment or  
3136 appointment.—On or after October 1, 1984, any person employed or  
3137 appointed as a full-time, part-time, or auxiliary law  
3138 enforcement officer or correctional officer; on or after October  
3139 1, 1986, any person employed as a full-time, part-time, or  
3140 auxiliary correctional probation officer; and on or after  
3141 October 1, 1986, any person employed as a full-time, part-time,  
3142 or auxiliary correctional officer by a private entity under  
3143 contract to the Department of Corrections, to a county  
3144 commission, or to the Department of Management Services shall:

3145 (6) Have passed a physical examination by a licensed  
3146 physician, physician assistant, or licensed advanced practice  
3147 registered nurse ~~certified advanced registered nurse~~  
3148 ~~practitioner~~, based on specifications established by the  
3149 commission. In order to be eligible for the presumption set  
3150 forth in s. 112.18 while employed with an employing agency, a



3151 law enforcement officer, correctional officer, or correctional  
3152 probation officer must have successfully passed the physical  
3153 examination required by this subsection upon entering into  
3154 service as a law enforcement officer, correctional officer, or  
3155 correctional probation officer with the employing agency, which  
3156 examination must have failed to reveal any evidence of  
3157 tuberculosis, heart disease, or hypertension. A law enforcement  
3158 officer, correctional officer, or correctional probation officer  
3159 may not use a physical examination from a former employing  
3160 agency for purposes of claiming the presumption set forth in s.  
3161 112.18 against the current employing agency.

3162 Section 86. Paragraph (n) of subsection (1) of section  
3163 948.03, Florida Statutes, is amended to read:

3164 948.03 Terms and conditions of probation.—

3165 (1) The court shall determine the terms and conditions of  
3166 probation. Conditions specified in this section do not require  
3167 oral pronouncement at the time of sentencing and may be  
3168 considered standard conditions of probation. These conditions  
3169 may include among them the following, that the probationer or  
3170 offender in community control shall:

3171 (n) Be prohibited from using intoxicants to excess or  
3172 possessing any drugs or narcotics unless prescribed by a  
3173 physician, an advanced practice registered nurse ~~advanced~~  
3174 ~~registered nurse practitioner~~, or a physician assistant. The  
3175 probationer or community controllee may not knowingly visit



3176 places where intoxicants, drugs, or other dangerous substances  
3177 are unlawfully sold, dispensed, or used.

3178 Section 87. Paragraph (i) of subsection (3) of section  
3179 1002.20, Florida Statutes, is amended to read:

3180 1002.20 K-12 student and parent rights.—Parents of public  
3181 school students must receive accurate and timely information  
3182 regarding their child's academic progress and must be informed  
3183 of ways they can help their child to succeed in school. K-12  
3184 students and their parents are afforded numerous statutory  
3185 rights including, but not limited to, the following:

3186 (3) HEALTH ISSUES.—

3187 (i) Epinephrine use and supply.—

3188 1. A student who has experienced or is at risk for life-  
3189 threatening allergic reactions may carry an epinephrine auto-  
3190 injector and self-administer epinephrine by auto-injector while  
3191 in school, participating in school-sponsored activities, or in  
3192 transit to or from school or school-sponsored activities if the  
3193 school has been provided with parental and physician  
3194 authorization. The State Board of Education, in cooperation with  
3195 the Department of Health, shall adopt rules for such use of  
3196 epinephrine auto-injectors that shall include provisions to  
3197 protect the safety of all students from the misuse or abuse of  
3198 auto-injectors. A school district, county health department,  
3199 public-private partner, and their employees and volunteers shall  
3200 be indemnified by the parent of a student authorized to carry an





3201 epinephrine auto-injector for any and all liability with respect  
3202 to the student's use of an epinephrine auto-injector pursuant to  
3203 this paragraph.

3204         2. A public school may purchase a supply of epinephrine  
3205 auto-injectors from a wholesale distributor as defined in s.  
3206 499.003 or may enter into an arrangement with a wholesale  
3207 distributor or manufacturer as defined in s. 499.003 for the  
3208 epinephrine auto-injectors at fair-market, free, or reduced  
3209 prices for use in the event a student has an anaphylactic  
3210 reaction. The epinephrine auto-injectors must be maintained in a  
3211 secure location on the public school's premises. The  
3212 participating school district shall adopt a protocol developed  
3213 by a licensed physician for the administration by school  
3214 personnel who are trained to recognize an anaphylactic reaction  
3215 and to administer an epinephrine auto-injection. The supply of  
3216 epinephrine auto-injectors may be provided to and used by a  
3217 student authorized to self-administer epinephrine by auto-  
3218 injector under subparagraph 1. or trained school personnel.

3219         3. The school district and its employees, agents, and the  
3220 physician who provides the standing protocol for school  
3221 epinephrine auto-injectors are not liable for any injury arising  
3222 from the use of an epinephrine auto-injector administered by  
3223 trained school personnel who follow the adopted protocol and  
3224 whose professional opinion is that the student is having an  
3225 anaphylactic reaction:



3226 a. Unless the trained school personnel's action is willful  
3227 and wanton;

3228 b. Notwithstanding that the parents or guardians of the  
3229 student to whom the epinephrine is administered have not been  
3230 provided notice or have not signed a statement acknowledging  
3231 that the school district is not liable; and

3232 c. Regardless of whether authorization has been given by  
3233 the student's parents or guardians or by the student's  
3234 physician, physician's assistant, or advanced practice  
3235 registered nurse ~~advanced registered nurse practitioner~~.

3236 Section 88. Paragraph (b) of subsection (17) of section  
3237 1002.42, Florida Statutes, is amended to read:

3238 1002.42 Private schools.—

3239 (17) EPINEPHRINE SUPPLY.—

3240 (b) The private school and its employees, agents, and the  
3241 physician who provides the standing protocol for school  
3242 epinephrine auto-injectors are not liable for any injury arising  
3243 from the use of an epinephrine auto-injector administered by  
3244 trained school personnel who follow the adopted protocol and  
3245 whose professional opinion is that the student is having an  
3246 anaphylactic reaction:

3247 1. Unless the trained school personnel's action is willful  
3248 and wanton;

3249 2. Notwithstanding that the parents or guardians of the  
3250 student to whom the epinephrine is administered have not been



3251 provided notice or have not signed a statement acknowledging  
3252 that the school district is not liable; and

3253 3. Regardless of whether authorization has been given by  
3254 the student's parents or guardians or by the student's  
3255 physician, physician's assistant, or advanced practice  
3256 registered nurse ~~advanced registered nurse practitioner~~.

3257 Section 89. Subsections (4) and (5) of section 1006.062,  
3258 Florida Statutes, are amended to read:

3259 1006.062 Administration of medication and provision of  
3260 medical services by district school board personnel.—

3261 (4) Nonmedical assistive personnel shall be allowed to  
3262 perform health-related services upon successful completion of  
3263 child-specific training by a registered nurse or advanced  
3264 practice registered nurse ~~advanced registered nurse practitioner~~  
3265 licensed under chapter 464, a physician licensed pursuant to  
3266 chapter 458 or chapter 459, or a physician assistant licensed  
3267 pursuant to chapter 458 or chapter 459. All procedures shall be  
3268 monitored periodically by a nurse, advanced practice registered  
3269 nurse ~~advanced registered nurse practitioner~~, physician  
3270 assistant, or physician, including, but not limited to:

- 3271 (a) Intermittent clean catheterization.  
3272 (b) Gastrostomy tube feeding.  
3273 (c) Monitoring blood glucose.  
3274 (d) Administering emergency injectable medication.  
3275 (5) For all other invasive medical services not listed in



3276 | this subsection, a registered nurse or advanced practice  
3277 | registered nurse ~~advanced registered nurse practitioner~~ licensed  
3278 | under chapter 464, a physician licensed pursuant to chapter 458  
3279 | or chapter 459, or a physician assistant licensed pursuant to  
3280 | chapter 458 or chapter 459 shall determine if nonmedical  
3281 | district school board personnel shall be allowed to perform such  
3282 | service.

3283 |       Section 90. Subsection (1) and paragraph (a) of subsection  
3284 | (2) of section 1009.65, Florida Statutes, are amended to read:

3285 |       1009.65 Medical Education Reimbursement and Loan Repayment  
3286 | Program.—

3287 |       (1) To encourage qualified medical professionals to  
3288 | practice in underserved locations where there are shortages of  
3289 | such personnel, there is established the Medical Education  
3290 | Reimbursement and Loan Repayment Program. The function of the  
3291 | program is to make payments that offset loans and educational  
3292 | expenses incurred by students for studies leading to a medical  
3293 | or nursing degree, medical or nursing licensure, or advanced  
3294 | practice registered nurse licensure ~~advanced registered nurse~~  
3295 | ~~practitioner certification~~ or physician assistant licensure. The  
3296 | following licensed or certified health care professionals are  
3297 | eligible to participate in this program: medical doctors with  
3298 | primary care specialties, doctors of osteopathic medicine with  
3299 | primary care specialties, physician's assistants, licensed  
3300 | practical nurses and registered nurses, and advanced practice



3301 registered nurses ~~advanced registered nurse practitioners~~ with  
3302 primary care specialties such as certified nurse midwives.  
3303 Primary care medical specialties for physicians include  
3304 obstetrics, gynecology, general and family practice, internal  
3305 medicine, pediatrics, and other specialties which may be  
3306 identified by the Department of Health.

3307 (2) From the funds available, the Department of Health  
3308 shall make payments to selected medical professionals as  
3309 follows:

3310 (a) Up to \$4,000 per year for licensed practical nurses  
3311 and registered nurses, up to \$10,000 per year for advanced  
3312 practice registered nurses ~~advanced registered nurse~~  
3313 ~~practitioners~~ and physician's assistants, and up to \$20,000 per  
3314 year for physicians. Penalties for noncompliance shall be the  
3315 same as those in the National Health Services Corps Loan  
3316 Repayment Program. Educational expenses include costs for  
3317 tuition, matriculation, registration, books, laboratory and  
3318 other fees, other educational costs, and reasonable living  
3319 expenses as determined by the Department of Health.

3320 Section 91. Subsection (2) of section 1009.66, Florida  
3321 Statutes, is amended to read:

3322 1009.66 Nursing Student Loan Forgiveness Program.—

3323 (2) To be eligible, a candidate must have graduated from  
3324 an accredited or approved nursing program and have received a  
3325 Florida license as a licensed practical nurse or a registered



3326 nurse or a Florida license ~~certificate~~ as an advanced practice  
 3327 registered nurse ~~advanced registered nurse practitioner~~.

3328 Section 92. Subsection (3) of section 1009.67, Florida  
 3329 Statutes, is amended to read:

3330 1009.67 Nursing scholarship program.—

3331 (3) A scholarship may be awarded for no more than 2 years,  
 3332 in an amount not to exceed \$8,000 per year. However, registered  
 3333 nurses pursuing a graduate degree for a faculty position or to  
 3334 practice as an advanced practice registered nurse ~~advanced~~  
 3335 ~~registered nurse practitioner~~ may receive up to \$12,000 per  
 3336 year. These amounts shall be adjusted by the amount of increase  
 3337 or decrease in the Consumer Price Index for All Urban Consumers  
 3338 published by the United States Department of Commerce.

3339 Section 93. Except as otherwise expressly provided in this  
 3340 act, this act shall take effect October 1, 2018.