

By the Committee on Health Policy; and Senator Grimsley

588-02622-18

20181486c1

1 A bill to be entitled
2 An act relating to the Department of Health; amending
3 s. 381.4018, F.S.; requiring the department to adopt
4 any rules necessary to implement a specified federal
5 program to further encourage qualified physicians to
6 relocate to and practice in underserved areas;
7 amending s. 456.013, F.S.; revising health care
8 practitioner licensure application requirements;
9 amending s. 456.024, F.S.; revising health care
10 practitioner licensure eligibility for certain members
11 of the armed forces and their spouses to include
12 licensed dentists; removing a provision requiring a
13 certain applicant issued a temporary professional
14 license to practice as a dentist to practice under
15 supervision; amending s. 458.3312, F.S.; removing a
16 provision prohibiting a physician from holding himself
17 or herself out as a board-certified specialist in
18 dermatology unless the recognizing agency is reviewed
19 and reauthorized on a specified basis by the Board of
20 Medicine; amending s. 460.408, F.S.; defining the term
21 "contact classroom hour"; revising provisions relating
22 to continuing chiropractic education requirements;
23 repealing s. 460.4166, F.S., relating to registered
24 chiropractic assistants; amending s. 464.006, F.S.;
25 authorizing the Board of Nursing to establish certain
26 standards of care; amending s. 464.202, F.S.;
27 requiring the board to adopt by rule discipline and
28 standards of care for certified nursing assistants;
29 amending s. 464.203, F.S.; revising certification

588-02622-18

20181486c1

30 requirements for nursing assistants; amending s.
31 464.204, F.S.; revising grounds for board-imposed
32 disciplinary sanctions; amending s. 465.019, F.S.;
33 requiring an institutional pharmacy to pass an onsite
34 inspection by the department within a specified time
35 before the issuance of an initial permit or a permit
36 for change of location; amending s. 465.0193, F.S.;
37 requiring a nuclear pharmacy to pass an onsite
38 inspection by the department within a specified time
39 before issuance of an initial permit or a permit for
40 change of location; creating s. 465.0195, F.S.;
41 requiring certain pharmacies and outsourcing
42 facilities located in this state to obtain a permit in
43 order to create, ship, mail, deliver, or dispense
44 compounded sterile products; providing application
45 requirements; providing inspection requirements;
46 providing permit requirements; authorizing the Board
47 of Pharmacy to adopt certain rules; providing
48 applicability; amending s. 465.0196, F.S.; requiring a
49 special pharmacy to pass an onsite inspection by the
50 department within a specified time before the issuance
51 of an initial permit or a permit for change of
52 location; amending s. 465.0197, F.S.; requiring an
53 Internet pharmacy to pass an onsite inspection by the
54 department within a specified time before the issuance
55 of an initial permit or a permit for change of
56 location; amending s. 466.006, F.S.; revising certain
57 requirements for examinations to be completed by
58 applicants seeking dental licensure; amending s.

588-02622-18

20181486c1

59 466.007, F.S.; revising requirements for examinations
60 of dental hygienists; amending s. 466.017, F.S.;
61 providing adverse incident reporting requirements;
62 defining the term "adverse incident"; providing for
63 disciplinary action by the Board of Dentistry;
64 authorizing the board to adopt rules; amending s.
65 466.031, F.S.; expanding the definition of the term
66 "dental laboratory" to include any person who performs
67 an onsite consultation during dental procedures;
68 amending s. 466.036, F.S.; requiring the periodic
69 inspection of dental laboratories at least once during
70 a specified period; amending s. 468.701, F.S.;
71 revising a definition; amending s. 468.707, F.S.;
72 revising athletic trainer licensure requirements;
73 amending s. 468.711, F.S.; revising requirements for
74 the renewal of a license relating to continuing
75 education; amending s. 468.723, F.S.; revising a
76 definition; amending s. 468.803, F.S.; revising
77 orthotic, prosthetic, and pedorthic licensure,
78 registration, and examination requirements; amending
79 s. 480.033, F.S.; revising a definition; amending s.
80 480.041, F.S.; revising qualifications for licensure
81 as a massage therapist; specifying that a massage
82 apprentice who was licensed before a specified date
83 may continue to perform massage therapy as authorized
84 under his or her license; authorizing a massage
85 apprentice to apply for full licensure upon completion
86 of the apprenticeship under certain conditions;
87 repealing s. 480.042, F.S., relating to examinations;

588-02622-18

20181486c1

88 amending s. 480.046, F.S.; revising instances under
89 which disciplinary action may be taken against massage
90 establishments; prohibiting a certain disciplined
91 massage establishment from applying for relicensure;
92 providing an exception; amending s. 490.003, F.S.;
93 revising definitions; amending s. 490.005, F.S.;
94 revising examination requirements for licensure of a
95 psychologist; amending s. 490.006, F.S.; revising
96 requirements for licensure by endorsement of certain
97 psychologists; amending s. 491.0045, F.S.; providing
98 an exemption for intern registration requirements
99 under certain circumstances; amending s. 491.005,
100 F.S.; revising education requirements for the
101 licensure of marriage and family therapists; revising
102 examination requirements for the licensure of mental
103 health counselors; amending s. 491.006, F.S.; revising
104 requirements for licensure or certification by
105 endorsement for certain professions; amending s.
106 491.007, F.S.; removing a biennial intern registration
107 fee; amending s. 491.009, F.S.; authorizing the Board
108 of Clinical Social Work, Marriage and Family Therapy,
109 and Mental Health Counseling, or the department under
110 certain circumstances, to enter an order denying
111 licensure or imposing penalties against an applicant
112 for licensure under certain circumstances; providing
113 penalties; amending ss. 491.0046 and 945.42, F.S.;
114 conforming provisions to changes made by the act;
115 providing an effective date.
116

588-02622-18

20181486c1

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

118
119 Section 1. Paragraph (f) of subsection (3) of section
120 381.4018, Florida Statutes, is amended to read:

121 381.4018 Physician workforce assessment and development.—

122 (3) GENERAL FUNCTIONS.—The department shall maximize the
123 use of existing programs under the jurisdiction of the
124 department and other state agencies and coordinate governmental
125 and nongovernmental stakeholders and resources in order to
126 develop a state strategic plan and assess the implementation of
127 such strategic plan. In developing the state strategic plan, the
128 department shall:

129 (f) Develop strategies to maximize federal and state
130 programs that provide for the use of incentives to attract
131 physicians to this state or retain physicians within the state.
132 Such strategies should explore and maximize federal-state
133 partnerships that provide incentives for physicians to practice
134 in federally designated shortage areas. Strategies shall also
135 consider the use of state programs, such as the Medical
136 Education Reimbursement and Loan Repayment Program pursuant to
137 s. 1009.65, which provide for education loan repayment or loan
138 forgiveness and provide monetary incentives for physicians to
139 relocate to underserved areas of the state. To further encourage
140 qualified physicians to relocate to and practice in underserved
141 areas, the department, following federal requirements, shall
142 adopt any rules necessary for the implementation of the Conrad
143 30 Waiver Program established under s. 214(1) of the Immigration
144 and Nationality Act.

145 Section 2. Paragraph (a) of subsection (1) of section

588-02622-18

20181486c1

146 456.013, Florida Statutes, is amended to read:

147 456.013 Department; general licensing provisions.—

148 (1) (a) Any person desiring to be licensed in a profession
149 within the jurisdiction of the department shall apply to the
150 department in writing ~~to take the licensure examination~~. The
151 application shall be made on a form prepared and furnished by
152 the department. The application form must be available on the
153 World Wide Web and the department may accept electronically
154 submitted applications beginning July 1, 2001. The application
155 shall require the social security number and date of birth of
156 the applicant, except as provided in paragraphs (b) and (c). The
157 form shall be supplemented as needed to reflect any material
158 change in any circumstance or condition stated in the
159 application which takes place between the initial filing of the
160 application and the final grant or denial of the license and
161 which might affect the decision of the department. If an
162 application is submitted electronically, the department may
163 require supplemental materials, including an original signature
164 of the applicant and verification of credentials, to be
165 submitted in a nonelectronic format. An incomplete application
166 shall expire 1 year after initial filing. In order to further
167 the economic development goals of the state, and notwithstanding
168 any law to the contrary, the department may enter into an
169 agreement with the county tax collector for the purpose of
170 appointing the county tax collector as the department's agent to
171 accept applications for licenses and applications for renewals
172 of licenses. The agreement must specify the time within which
173 the tax collector must forward any applications and accompanying
174 application fees to the department.

588-02622-18

20181486c1

175 Section 3. Paragraphs (a) and (b) of subsection (3) and
176 paragraph (j) of subsection (4) of section 456.024, Florida
177 Statutes, are amended to read:

178 456.024 Members of Armed Forces in good standing with
179 administrative boards or the department; spouses; licensure.—

180 (3) (a) A person is eligible for licensure as a health care
181 practitioner in this state if he or she:

182 1. Serves or has served as a health care practitioner in
183 the United States Armed Forces, the United States Reserve
184 Forces, or the National Guard;

185 2. Serves or has served on active duty with the United
186 States Armed Forces as a health care practitioner in the United
187 States Public Health Service; or

188 3. Is a health care practitioner, ~~other than a dentist,~~ in
189 another state, the District of Columbia, or a possession or
190 territory of the United States and is the spouse of a person
191 serving on active duty with the United States Armed Forces.

192
193 The department shall develop an application form, and each
194 board, or the department if there is no board, shall waive the
195 application fee, licensure fee, and unlicensed activity fee for
196 such applicants. For purposes of this subsection, "health care
197 practitioner" means a health care practitioner as defined in s.
198 456.001 and a person licensed under part III of chapter 401 or
199 part IV of chapter 468.

200 (b) The board, or the department if there is no board,
201 shall issue a license to practice in this state to a person who:

202 1. Submits a complete application.

203 2. If he or she is a member of the United States Armed

588-02622-18

20181486c1

204 Forces, the United States Reserve Forces, or the National Guard,
205 submits proof that he or she has received an honorable discharge
206 within 6 months before, or will receive an honorable discharge
207 within 6 months after, the date of submission of the
208 application.

209 3.a. Holds an active, unencumbered license issued by
210 another state, the District of Columbia, or a possession or
211 territory of the United States and who has not had disciplinary
212 action taken against him or her in the 5 years preceding the
213 date of submission of the application;

214 b. Is a military health care practitioner in a profession
215 for which licensure in a state or jurisdiction is not required
216 to practice in the United States Armed Forces, if he or she
217 submits to the department evidence of military training or
218 experience substantially equivalent to the requirements for
219 licensure in this state in that profession and evidence that he
220 or she has obtained a passing score on the appropriate
221 examination of a national or regional standards organization if
222 required for licensure in this state; or

223 c. Is the spouse of a person serving on active duty in the
224 United States Armed Forces and is a health care practitioner in
225 a profession, ~~excluding dentistry,~~ for which licensure in
226 another state or jurisdiction is not required, if he or she
227 submits to the department evidence of training or experience
228 substantially equivalent to the requirements for licensure in
229 this state in that profession and evidence that he or she has
230 obtained a passing score on the appropriate examination of a
231 national or regional standards organization if required for
232 licensure in this state.

588-02622-18

20181486c1

233 4. Attests that he or she is not, at the time of submission
234 of the application, the subject of a disciplinary proceeding in
235 a jurisdiction in which he or she holds a license or by the
236 United States Department of Defense for reasons related to the
237 practice of the profession for which he or she is applying.

238 5. Actively practiced the profession for which he or she is
239 applying for the 3 years preceding the date of submission of the
240 application.

241 6. Submits a set of fingerprints for a background screening
242 pursuant to s. 456.0135, if required for the profession for
243 which he or she is applying.

244
245 The department shall verify information submitted by the
246 applicant under this subsection using the National Practitioner
247 Data Bank.

248 (4)

249 ~~(j) An applicant who is issued a temporary professional~~
250 ~~license to practice as a dentist pursuant to this section must~~
251 ~~practice under the indirect supervision, as defined in s.~~
252 ~~466.003, of a dentist licensed pursuant to chapter 466.~~

253 Section 4. Section 458.3312, Florida Statutes, is amended
254 to read:

255 458.3312 Specialties.—A physician licensed under this
256 chapter may not hold himself or herself out as a board-certified
257 specialist unless the physician has received formal recognition
258 as a specialist from a specialty board of the American Board of
259 Medical Specialties or other recognizing agency that has been
260 approved by the board. However, a physician may indicate the
261 services offered and may state that his or her practice is

588-02622-18

20181486c1

262 limited to one or more types of services when this accurately
263 reflects the scope of practice of the physician. ~~A physician may~~
264 ~~not hold himself or herself out as a board-certified specialist~~
265 ~~in dermatology unless the recognizing agency, whether authorized~~
266 ~~in statute or by rule, is triennially reviewed and reauthorized~~
267 ~~by the Board of Medicine.~~

268 Section 5. Subsection (1) of section 460.408, Florida
269 Statutes, is amended to read:

270 460.408 Continuing chiropractic education.-

271 (1) The board shall require licensees to periodically
272 demonstrate their professional competence as a condition of
273 renewal of a license by completing up to 40 contact classroom
274 hours of continuing education. For purposes of this subsection,
275 term "contact classroom hour" means a presentation in which the
276 persons presenting and the persons attending the course are
277 present on site. Up to 10 general credit continuing education
278 hours may be completed online in place of contact classroom
279 hours, as determined by board rule. Online continuing education
280 courses must be competency based and must use the Sharable
281 Content Objective Reference Model standard or more stringent
282 standards, as determined by the board.

283 (a) Continuing education courses sponsored by chiropractic
284 colleges whose graduates are eligible for examination under any
285 provision of this chapter may be approved upon review by the
286 board if all other requirements of board rules setting forth
287 criteria for course approval are met.

288 (b) The board shall approve those courses that build upon
289 the basic courses required for the practice of chiropractic
290 medicine, and the board may also approve courses in adjunctive

588-02622-18

20181486c1

291 modalities. Courses that consist of instruction in the use,
292 application, prescription, recommendation, or administration of
293 a specific company's brand of products or services are not
294 eligible for approval.

295 Section 6. Section 460.4166, Florida Statutes, is repealed.

296 Section 7. Section 464.006, Florida Statutes, is amended to
297 read:

298 464.006 Rulemaking authority.—The board may ~~has~~ authority
299 ~~to~~ adopt rules pursuant to ss. 120.536(1) and 120.54 to
300 implement the provisions of this part conferring duties upon it
301 and establish standards of care.

302 Section 8. Section 464.202, Florida Statutes, is amended to
303 read:

304 464.202 Duties and powers of the board.—The board shall
305 maintain, or contract with or approve another entity to
306 maintain, a state registry of certified nursing assistants. The
307 registry must consist of the name of each certified nursing
308 assistant in this state; other identifying information defined
309 by board rule; certification status; the effective date of
310 certification; other information required by state or federal
311 law; information regarding any crime or any abuse, neglect, or
312 exploitation as provided under chapter 435; and any disciplinary
313 action taken against the certified nursing assistant. The
314 registry shall be accessible to the public, the
315 certificateholder, employers, and other state agencies. The
316 board shall adopt by rule testing procedures for use in
317 certifying nursing assistants and shall adopt rules regulating
318 the practice of certified nursing assistants, including
319 discipline and establishing standards of care, and specifying

588-02622-18

20181486c1

320 the scope of practice authorized and the level of supervision
321 required for the practice of certified nursing assistants. The
322 board may contract with or approve another entity or
323 organization to provide the examination services, including the
324 development and administration of examinations. The board shall
325 require that the contract provider offer certified nursing
326 assistant applications via the Internet, and may require the
327 contract provider to accept certified nursing assistant
328 applications for processing via the Internet. The board shall
329 require the contract provider to provide the preliminary results
330 of the certified nursing examination on the date the test is
331 administered. The provider shall pay all reasonable costs and
332 expenses incurred by the board in evaluating the provider's
333 application and performance during the delivery of services,
334 including examination services and procedures for maintaining
335 the certified nursing assistant registry.

336 Section 9. Paragraph (c) of subsection (1) of section
337 464.203, Florida Statutes, is amended to read:

338 464.203 Certified nursing assistants; certification
339 requirement.—

340 (1) The board shall issue a certificate to practice as a
341 certified nursing assistant to any person who demonstrates a
342 minimum competency to read and write and successfully passes the
343 required background screening pursuant to s. 400.215. If the
344 person has successfully passed the required background screening
345 pursuant to s. 400.215 or s. 408.809 within 90 days before
346 applying for a certificate to practice and the person's
347 background screening results are not retained in the
348 clearinghouse created under s. 435.12, the board shall waive the

588-02622-18

20181486c1

349 requirement that the applicant successfully pass an additional
350 background screening pursuant to s. 400.215. The person must
351 also meet one of the following requirements:

352 (c) Is currently certified in another state or territory or
353 the District of Columbia; is listed on that state's certified
354 nursing assistant registry; and has not been found to have
355 committed abuse, neglect, or exploitation in that state.

356 Section 10. Subsection (1) of section 464.204, Florida
357 Statutes, is amended to read:

358 464.204 Denial, suspension, or revocation of certification;
359 disciplinary actions.-

360 (1) The following acts constitute grounds for which the
361 board may impose disciplinary sanctions as specified in
362 subsection (2):

363 (a) Obtaining or attempting to obtain certification or an
364 exemption, or possessing or attempting to possess certification
365 or a letter of exemption, by bribery, misrepresentation, deceit,
366 or through an error of the board.

367 (b) ~~Intentionally~~ Violating any provision of this chapter,
368 chapter 456, or the rules adopted by the board.

369 Section 11. Subsection (7) is added to section 465.019,
370 Florida Statutes, to read:

371 465.019 Institutional pharmacies; permits.-

372 (7) An institutional pharmacy must pass an onsite
373 inspection by the department as a prerequisite to the issuance
374 of an initial permit or a permit for a change of location. The
375 inspection must be completed within 90 days before the issuance
376 of the permit.

377 Section 12. Section 465.0193, Florida Statutes, is amended

588-02622-18

20181486c1

378 to read:

379 465.0193 Nuclear pharmacy permits.—Any person desiring a
380 permit to operate a nuclear pharmacy shall apply to the
381 department. If the board certifies that the application complies
382 with applicable law, the department shall issue the permit. No
383 permit shall be issued unless a duly licensed and qualified
384 nuclear pharmacist is designated as being responsible for
385 activities described in s. 465.0126. A nuclear pharmacy must
386 pass an onsite inspection by the department as a prerequisite to
387 the issuance of an initial permit or a permit for a change of
388 location. The inspection must be completed within 90 days before
389 the issuance of the permit. The permittee shall notify the
390 department within 10 days of any change of the licensed
391 pharmacist responsible for the compounding and dispensing of
392 nuclear pharmaceuticals.

393 Section 13. Section 465.0195, Florida Statutes, is created
394 to read:

395 465.0195 Pharmacy or outsourcing facility; sterile
396 compounding permit.—Before a pharmacy or outsourcing facility
397 located in this state dispenses, creates, delivers, ships, or
398 mails, in any manner, a compounded sterile product, the pharmacy
399 or outsourcing facility must hold a sterile compounding permit.

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

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

588-02622-18

20181486c1

407 (3) A pharmacy or outsourcing facility must pass an onsite
408 inspection by the department as a prerequisite to the issuance
409 of an initial permit or a permit for a change of location. The
410 inspection must be completed within 90 days before the issuance
411 of the permit. The board may adopt by rule standards for
412 conducting an onsite inspection for issuance of a sterile
413 compounding permit.

414 (4) A permit may not be issued unless a licensed pharmacist
415 is designated to undertake the professional supervision of the
416 compounding and dispensing of all drugs dispensed by the
417 permittee.

418 (5) A permittee must notify the department within 10 days
419 after any change of the licensed pharmacist under subsection
420 (4). Each permittee that employs or otherwise uses registered
421 pharmacy technicians shall have a written policy and procedures
422 manual specifying those duties, tasks, and functions that a
423 registered pharmacy technician is authorized to perform.

424 (6) The board may adopt by rule standards of practice for
425 sterile compounding. In adopting such rules, the board shall
426 give due consideration to the standards and requirements
427 provided in chapter 797 of the United States Pharmacopeia, or
428 other professionally accepted standards deemed authoritative by
429 the board. In adopting such rules for an outsourcing facility,
430 the board shall consider the standards and requirements of
431 current good manufacturing practices as set forth by federal law
432 and any other professionally accepted standards deemed
433 authoritative by the board.

434 (7) All provisions relating to pharmacy permits found in
435 ss. 465.022 and 465.023 apply to permits issued pursuant to this

588-02622-18

20181486c1

436 section.

437 Section 14. Section 465.0196, Florida Statutes, is amended
438 to read:

439 465.0196 Special pharmacy permits.—Any person desiring a
440 permit to operate a special pharmacy shall apply to the
441 department for a special pharmacy permit. If the board certifies
442 that the application complies with the applicable laws and rules
443 of the board governing the practice of the profession of
444 pharmacy, the department shall issue the permit. A special
445 pharmacy must pass an onsite inspection by the department as a
446 prerequisite to the issuance of an initial permit or a permit
447 for a change of location. The inspection must be completed
448 within 90 days before the issuance of the permit. A permit may
449 not be issued unless a licensed pharmacist is designated to
450 undertake the professional supervision of the compounding and
451 dispensing of all drugs dispensed by the pharmacy. The licensed
452 pharmacist shall be responsible for maintaining all drug records
453 and for providing for the security of the area in the facility
454 in which the compounding, storing, and dispensing of medicinal
455 drugs occurs. The permittee shall notify the department within
456 10 days after any change of the licensed pharmacist responsible
457 for such duties. Each permittee that employs or otherwise uses
458 registered pharmacy technicians shall have a written policy and
459 procedures manual specifying those duties, tasks, and functions
460 that a registered pharmacy technician is allowed to perform.

461 Section 15. Subsection (2) of section 465.0197, Florida
462 Statutes, is amended to read:

463 465.0197 Internet pharmacy permits.—

464 (2) An Internet pharmacy must obtain a permit under this

588-02622-18

20181486c1

465 section to sell medicinal drugs to persons in this state. An
466 Internet pharmacy must pass an onsite inspection by the
467 department as a prerequisite to the issuance of an initial
468 permit or a permit for a change of location. The inspection must
469 be completed within 90 days before the issuance of the permit.

470 Section 16. Subsection (4) of section 466.006, Florida
471 Statutes, is amended to read:

472 466.006 Examination of dentists.—

473 (4) Notwithstanding any other provision of law in chapter
474 456 pertaining to the clinical dental licensure examination or
475 national examinations, to be licensed as a dentist in this
476 state, an applicant must successfully complete the following:

477 (a) A written examination on the laws and rules of the
478 state regulating the practice of dentistry;

479 (b)1. A practical or clinical examination, which shall be
480 the American Dental Licensing Examination produced by the
481 American Board of Dental Examiners, Inc., or its successor
482 entity, if any, that is administered in this state ~~and graded by~~
483 ~~dentists licensed in this state and employed by the department~~
484 ~~for just such purpose~~, provided that the board has attained, and
485 continues to maintain thereafter, representation on the board of
486 directors of the American Board of Dental Examiners, the
487 examination development committee of the American Board of
488 Dental Examiners, and such other committees of the American
489 Board of Dental Examiners as the board deems appropriate by rule
490 to assure that the standards established herein are maintained
491 organizationally. A passing score on the American Dental
492 Licensing Examination administered in this state ~~and graded by~~
493 ~~dentists who are licensed in this state~~ is valid for 365 days

588-02622-18

20181486c1

494 after the date the official examination results are published.

495 2.a. As an alternative to the requirements of subparagraph
496 1., an applicant may submit scores from an American Dental
497 Licensing Examination previously administered in a jurisdiction
498 other than this state after October 1, 2011, and such
499 examination results shall be recognized as valid for the purpose
500 of licensure in this state. A passing score on the American
501 Dental Licensing Examination administered out-of-state shall be
502 the same as the passing score for the American Dental Licensing
503 Examination administered in this state ~~and graded by dentists~~
504 ~~who are licensed in this state~~. The examination results are
505 valid for 365 days after the date the official examination
506 results are published. The applicant must have completed the
507 examination after October 1, 2011.

508 b. This subparagraph may not be given retroactive
509 application.

510 3. If the date of an applicant's passing American Dental
511 Licensing Examination scores from an examination previously
512 administered in a jurisdiction other than this state under
513 subparagraph 2. is older than 365 days, then such scores shall
514 nevertheless be recognized as valid for the purpose of licensure
515 in this state, but only if the applicant demonstrates that all
516 of the following additional standards have been met:

517 a.(I) The applicant completed the American Dental Licensing
518 Examination after October 1, 2011.

519 (II) This sub-subparagraph may not be given retroactive
520 application;

521 b. The applicant graduated from a dental school accredited
522 by the American Dental Association Commission on Dental

588-02622-18

20181486c1

523 Accreditation or its successor entity, if any, or any other
524 dental accrediting organization recognized by the United States
525 Department of Education. Provided, however, if the applicant did
526 not graduate from such a dental school, the applicant may submit
527 proof of having successfully completed a full-time supplemental
528 general dentistry program accredited by the American Dental
529 Association Commission on Dental Accreditation of at least 2
530 consecutive academic years at such accredited sponsoring
531 institution. Such program must provide didactic and clinical
532 education at the level of a D.D.S. or D.M.D. program accredited
533 by the American Dental Association Commission on Dental
534 Accreditation;

535 c. The applicant currently possesses a valid and active
536 dental license in good standing, with no restriction, which has
537 never been revoked, suspended, restricted, or otherwise
538 disciplined, from another state or territory of the United
539 States, the District of Columbia, or the Commonwealth of Puerto
540 Rico;

541 d. The applicant submits proof that he or she has never
542 been reported to the National Practitioner Data Bank, the
543 Healthcare Integrity and Protection Data Bank, or the American
544 Association of Dental Boards Clearinghouse. This sub-
545 subparagraph does not apply if the applicant successfully
546 appealed to have his or her name removed from the data banks of
547 these agencies;

548 e.(I) In the 5 years immediately preceding the date of
549 application for licensure in this state, the applicant must
550 submit proof of having been consecutively engaged in the full-
551 time practice of dentistry in another state or territory of the

588-02622-18

20181486c1

552 United States, the District of Columbia, or the Commonwealth of
553 Puerto Rico, or, if the applicant has been licensed in another
554 state or territory of the United States, the District of
555 Columbia, or the Commonwealth of Puerto Rico for less than 5
556 years, the applicant must submit proof of having been engaged in
557 the full-time practice of dentistry since the date of his or her
558 initial licensure.

559 (II) As used in this section, "full-time practice" is
560 defined as a minimum of 1,200 hours per year for each and every
561 year in the consecutive 5-year period or, where applicable, the
562 period since initial licensure, and must include any combination
563 of the following:

564 (A) Active clinical practice of dentistry providing direct
565 patient care.

566 (B) Full-time practice as a faculty member employed by a
567 dental or dental hygiene school approved by the board or
568 accredited by the American Dental Association Commission on
569 Dental Accreditation.

570 (C) Full-time practice as a student at a postgraduate
571 dental education program approved by the board or accredited by
572 the American Dental Association Commission on Dental
573 Accreditation.

574 (III) The board shall develop rules to determine what type
575 of proof of full-time practice is required and to recoup the
576 cost to the board of verifying full-time practice under this
577 section. Such proof must, at a minimum, be:

578 (A) Admissible as evidence in an administrative proceeding;

579 (B) Submitted in writing;

580 (C) Submitted by the applicant under oath with penalties of

588-02622-18

20181486c1

581 perjury attached;

582 (D) Further documented by an affidavit of someone unrelated
583 to the applicant who is familiar with the applicant's practice
584 and testifies with particularity that the applicant has been
585 engaged in full-time practice; and

586 (E) Specifically found by the board to be both credible and
587 admissible.

588 (IV) An affidavit of only the applicant is not acceptable
589 proof of full-time practice unless it is further attested to by
590 someone unrelated to the applicant who has personal knowledge of
591 the applicant's practice. If the board deems it necessary to
592 assess credibility or accuracy, the board may require the
593 applicant or the applicant's witnesses to appear before the
594 board and give oral testimony under oath;

595 f. The applicant must submit documentation that he or she
596 has completed, or will complete, prior to licensure in this
597 state, continuing education equivalent to this state's
598 requirements for the last full reporting biennium;

599 g. The applicant must prove that he or she has never been
600 convicted of, or pled nolo contendere to, regardless of
601 adjudication, any felony or misdemeanor related to the practice
602 of a health care profession in any jurisdiction;

603 h. The applicant must successfully pass a written
604 examination on the laws and rules of this state regulating the
605 practice of dentistry and must successfully pass the computer-
606 based diagnostic skills examination; and

607 i. The applicant must submit documentation that he or she
608 has successfully completed the National Board of Dental
609 Examiners dental examination.

588-02622-18

20181486c1

610 Section 17. Paragraph (b) of subsection (4) and paragraph
611 (a) of subsection (6) of section 466.007, Florida Statutes, are
612 amended to read:

613 466.007 Examination of dental hygienists.—

614 (4) Effective July 1, 2012, to be licensed as a dental
615 hygienist in this state, an applicant must successfully complete
616 the following:

617 (b) A practical or clinical examination approved by the
618 board. The examination shall be the Dental Hygiene Examination
619 produced by the American Board of Dental Examiners, Inc. (ADEX)
620 or its successor entity, if any, if the board finds that the
621 successor entity's clinical examination meets or exceeds the
622 provisions of this section. The board shall approve the ADEX
623 Dental Hygiene Examination if the board has attained and
624 continues to maintain representation on the ADEX House of
625 Representatives, the ADEX Dental Hygiene Examination Development
626 Committee, and such other ADEX Dental Hygiene committees as the
627 board deems appropriate through rulemaking to ensure that the
628 standards established in this section are maintained
629 organizationally. The ADEX Dental Hygiene Examination or the
630 examination produced by its successor entity is a comprehensive
631 examination in which an applicant must demonstrate skills within
632 the dental hygiene scope of practice on a live patient and any
633 other components that the board deems necessary for the
634 applicant to successfully demonstrate competency for the purpose
635 of licensure. ~~The ADEX Dental Hygiene Examination or the~~
636 ~~examination by the successor entity administered in this state~~
637 ~~shall be graded by dentists and dental hygienists licensed in~~
638 ~~this state who are employed by the department for this purpose.~~

588-02622-18

20181486c1

639 (6) (a) A passing score on the ADEX Dental Hygiene
640 Examination administered out of state shall be considered the
641 same as a passing score for the ADEX Dental Hygiene Examination
642 administered in this state ~~and graded by licensed dentists and~~
643 ~~dental hygienists.~~

644 Section 18. Subsections (9) through (15) are added to
645 section 466.017, Florida Statutes, to read:

646 466.017 Prescription of drugs; anesthesia.-

647 (9) Any adverse incident that occurs in an office
648 maintained by a dentist must be reported to the department. The
649 required notification to the department must be submitted in
650 writing by certified mail and postmarked within 48 hours after
651 the incident occurs.

652 (10) A dentist practicing in this state must notify the
653 board in writing by certified mail within 48 hours of any
654 mortality or other adverse incident that occurs in the dentist's
655 outpatient facility. A complete written report must be filed
656 with the board within 30 days after the mortality or other
657 adverse incident.

658 (11) For purposes of notification to the department
659 pursuant to this section, the term "adverse incident" means any
660 mortality that occurs during or as the result of a dental
661 procedure, or an incident that results in a temporary or
662 permanent physical or mental injury that requires
663 hospitalization or emergency room treatment of a dental patient
664 which occurred during or as a direct result of the use of
665 anesthesia, deep sedation, moderate sedation, pediatric moderate
666 sedation, oral sedation, minimal sedation (anxiolysis), nitrous
667 oxide, or local anesthesia.

588-02622-18

20181486c1

668 (12) Any certified registered dental hygienist
669 administering local anesthesia must notify the board, in writing
670 by registered mail within 48 hours of any adverse incident that
671 was related to or the result of the administration of local
672 anesthesia. A complete written report must be filed with the
673 board within 30 days after the mortality or other adverse
674 incident.

675 (13) A failure by the dentist or dental hygienist to timely
676 and completely comply with all the reporting requirements in
677 this section is the basis for disciplinary action by the board
678 pursuant to s. 466.028(1).

679 (14) The department shall review each incident and
680 determine whether it involved conduct by a health care
681 professional subject to disciplinary action, in which case s.
682 456.073 applies. Disciplinary action, if any, shall be taken by
683 the board under which the health care professional is licensed.

684 (15) The board may adopt rules to administer this section.

685 Section 19. Subsection (1) of section 466.031, Florida
686 Statutes, is amended to read:

687 466.031 "Dental laboratory" defined.—The term "dental
688 laboratory" as used in this chapter:

689 (1) Includes any person, firm, or corporation who performs
690 for a fee of any kind, gratuitously, or otherwise, directly or
691 through an agent or employee, by any means or method, or who in
692 any way supplies or manufactures artificial substitutes for the
693 natural teeth, or who furnishes, supplies, constructs, or
694 reproduces or repairs any prosthetic denture, bridge, or
695 appliance to be worn in the human mouth, or who provides onsite
696 consultation during dental procedures, or who in any way holds

588-02622-18

20181486c1

697 itself out as a dental laboratory.

698 Section 20. Section 466.036, Florida Statutes, is amended
699 to read:

700 466.036 Information; periodic inspections; equipment and
701 supplies.—The department may require from the applicant for a
702 registration certificate to operate a dental laboratory any
703 information necessary to carry out the purpose of this chapter,
704 including proof that the applicant has the equipment and
705 supplies necessary to operate as determined by rule of the
706 department, and shall require periodic inspection of all dental
707 laboratories operating in this state at least once each biennial
708 registration period. Such inspections shall include, but not be
709 limited to, inspection of sanitary conditions, equipment,
710 supplies, and facilities on the premises. The department shall
711 specify dental equipment and supplies that are not permitted in
712 a registered dental laboratory.

713 Section 21. Subsection (1) of section 468.701, Florida
714 Statutes, is amended to read:

715 468.701 Definitions.—As used in this part, the term:

716 (1) "Athletic trainer" means a person licensed under this
717 part who has met the requirements under this part, including
718 education requirements as set forth by the Commission on
719 Accreditation of Athletic Training Education or its successor
720 and necessary credentials from the Board of Certification. An
721 athletic trainer must work within his or her scope of practice
722 as established in the rules adopted by the board under s.
723 468.705. An individual who is licensed as an athletic trainer
724 may not otherwise provide, offer to provide, or represent that
725 he or she is qualified to provide any care or services beyond

588-02622-18

20181486c1

726 his or her scope of practice, or that he or she lacks the
727 education, training, or experience to provide, or that he or she
728 is otherwise prohibited by law from providing.

729 Section 22. Section 468.707, Florida Statutes, is amended
730 to read:

731 468.707 Licensure requirements.—Any person desiring to be
732 licensed as an athletic trainer shall apply to the department on
733 a form approved by the department. An applicant shall also
734 provide records or other evidence, as determined by the board,
735 to prove he or she has met the requirements of this section. The
736 department shall license each applicant who:

737 (1) Has completed the application form and remitted the
738 required fees.

739 ~~(2) For a person who applies on or after July 1, 2016,~~ Has
740 submitted to background screening pursuant to s. 456.0135. The
741 board may require a background screening for an applicant whose
742 license has expired or who is undergoing disciplinary action.

743 (3) (a) Has obtained a baccalaureate or higher degree from a
744 college or university professional athletic training degree
745 program accredited by the Commission on Accreditation of
746 Athletic Training Education or its successor recognized and
747 approved by the United States Department of Education or the
748 Commission on Recognition of Postsecondary Accreditation,
749 approved by the board, or recognized by the Board of
750 Certification, and has passed the national examination to be
751 certified by the Board of Certification; or—

752 (b)(4) Has obtained, at a minimum, a bachelor's degree and
753 has completed the Board of Certification internship requirements
754 and if graduated before 2004, has a current certification from

588-02622-18

20181486c1

755 the Board of Certification.

756 (4)~~(5)~~ Has current certification in both cardiopulmonary
757 resuscitation and the use of an automated external defibrillator
758 set forth in the continuing education requirements as determined
759 by the board pursuant to s. 468.711.

760 (5)~~(6)~~ Has completed any other requirements as determined
761 by the department and approved by the board.

762 Section 23. Subsection (3) of section 468.711, Florida
763 Statutes, is amended to read:

764 468.711 Renewal of license; continuing education.—

765 (3) If initially licensed after January 1, 1998, the
766 licensee must be currently certified by the Board of
767 Certification or its successor agency and maintain that
768 certification in good standing without lapse.

769 Section 24. Subsection (2) of section 468.723, Florida
770 Statutes, is amended to read:

771 468.723 Exemptions.—This part does not prevent or restrict:

772 (2) An athletic training student acting under the direct
773 supervision of a licensed athletic trainer. For purposes of this
774 subsection, "direct supervision" means the physical presence of
775 an athletic trainer so that the athletic trainer is immediately
776 available to the athletic training student and able to intervene
777 on behalf of the athletic training student. The supervision must
778 be in accordance with rules adopted by the board ~~the standards~~
779 ~~set forth by the Commission on Accreditation of Athletic~~
780 ~~Training Education or its successor.~~

781 Section 25. Subsections (1), (3), and (4) of section
782 468.803, Florida Statutes, are amended to read:

783 468.803 License, registration, and examination

588-02622-18

20181486c1

784 requirements.—

785 (1) The department shall issue a license to practice
786 orthotics, prosthetics, or pedorthics, or a registration for a
787 resident to practice orthotics or prosthetics, to qualified
788 applicants. Licenses shall be granted independently in
789 orthotics, prosthetics, or pedorthics, but a person may be
790 licensed in more than one such discipline, and a prosthetist-
791 orthotist license may be granted to persons meeting the
792 requirements for both a prosthetist and an orthotist license.
793 Registrations shall be granted independently in orthotics or
794 prosthetics, and a person may be registered in both fields at
795 the same time or jointly in orthotics and prosthetics as a dual
796 registration.

797 (3) A person seeking to attain the required orthotics or
798 prosthetics experience in this state must be approved by the
799 board and registered as a resident by the department. Although a
800 registration may be held in both practice fields, for
801 independent registrations, the board shall not approve a second
802 registration until at least 1 year after the issuance of the
803 first registration. Notwithstanding subsection (2), an applicant
804 for independent registrations who has been approved by the board
805 and registered by the department in one practice field may apply
806 for registration in the second practice field without an
807 additional state or national criminal history check during the
808 period in which the first registration is valid. Each
809 independent registration or dual registration is valid for 2
810 years from the date of issuance unless otherwise revoked by the
811 department upon recommendation of the board. The board shall set
812 a registration fee not to exceed \$500 to be paid by the

588-02622-18

20181486c1

813 applicant. A registration may be renewed once by the department
814 upon recommendation of the board for a period no longer than 1
815 year, as such renewal is defined by the board by rule. The
816 registration renewal fee shall not exceed one-half the current
817 registration fee. To be considered by the board for approval of
818 registration as a resident, the applicant must have:

819 (a) A Bachelor of Science or higher-level postgraduate
820 degree in Orthotics and Prosthetics from a regionally accredited
821 college or university recognized by the Commission on
822 Accreditation of Allied Health Education Programs or, at a
823 minimum, a bachelor's degree from a regionally accredited
824 college or university and a certificate in orthotics from a
825 program recognized by the Commission on Accreditation of Allied
826 Health Education Programs, or its equivalent, as determined by
827 the board; ~~or~~

828 (b) A Bachelor of Science or higher-level postgraduate
829 degree in Orthotics and Prosthetics from a regionally accredited
830 college or university recognized by the Commission on
831 Accreditation of Allied Health Education Programs or, at a
832 minimum, a bachelor's degree from a regionally accredited
833 college or university and a certificate in prosthetics from a
834 program recognized by the Commission on Accreditation of Allied
835 Health Education Programs, or its equivalent, as determined by
836 the board; or

837 (c) A Bachelor of Science or higher-level postgraduate
838 degree in Orthotics and Prosthetics from a regionally accredited
839 college or university recognized by the Commission on
840 Accreditation of Allied Health Education Programs or, at a
841 minimum, a bachelor's degree from a regionally accredited

588-02622-18

20181486c1

842 college or university and a dual certificate in both orthotics
843 and prosthetics from a program recognized by the Commission on
844 Accreditation of Allied Health Education Programs, or its
845 equivalent, as determined by the board.

846 (4) The department may develop and administer a state
847 examination for an orthotist or a prosthetist license, or the
848 board may approve the existing examination of a national
849 standards organization. The examination must be predicated on a
850 minimum of a baccalaureate-level education and formalized
851 specialized training in the appropriate field. Each examination
852 must demonstrate a minimum level of competence in basic
853 scientific knowledge, written problem solving, and practical
854 clinical patient management. The board shall require an
855 examination fee not to exceed the actual cost to the board in
856 developing, administering, and approving the examination, which
857 fee must be paid by the applicant. To be considered by the board
858 for examination, the applicant must have:

859 (a) For an examination in orthotics:

860 1. A Bachelor of Science or higher-level postgraduate
861 degree in Orthotics and Prosthetics from a regionally accredited
862 college or university recognized by the Commission on
863 Accreditation of Allied Health Education Programs or, at a
864 minimum, a bachelor's degree from a regionally accredited
865 college or university and a certificate in orthotics from a
866 program recognized by the Commission on Accreditation of Allied
867 Health Education Programs, or its equivalent, as determined by
868 the board; and

869 2. An approved orthotics internship of 1 year of qualified
870 experience, as determined by the board, or an orthotic residency

588-02622-18

20181486c1

871 program or a dual residency program recognized by the board.

872 (b) For an examination in prosthetics:

873 1. A Bachelor of Science or higher-level postgraduate
874 degree in Orthotics and Prosthetics from a regionally accredited
875 college or university recognized by the Commission on
876 Accreditation of Allied Health Education Programs or, at a
877 minimum, a bachelor's degree from a regionally accredited
878 college or university and a certificate in prosthetics from a
879 program recognized by the Commission on Accreditation of Allied
880 Health Education Programs, or its equivalent, as determined by
881 the board; and

882 2. An approved prosthetics internship of 1 year of
883 qualified experience, as determined by the board, or a
884 prosthetic residency program or dual residency program
885 recognized by the board.

886 Section 26. Subsection (5) of section 480.033, Florida
887 Statutes, is amended to read:

888 480.033 Definitions.—As used in this act:

889 (5) "Apprentice" means a person approved by the board to
890 study colonic irrigation ~~massage~~ under the instruction of a
891 licensed massage therapist practicing colonic irrigation.

892 Section 27. Subsections (1) and (2) of section 480.041,
893 Florida Statutes, are amended, and subsection (8) is added to
894 that section, to read:

895 480.041 Massage therapists; qualifications; licensure;
896 endorsement.—

897 (1) Any person is qualified for licensure as a massage
898 therapist under this act who:

899 (a) Is at least 18 years of age or has received a high

588-02622-18

20181486c1

900 school diploma or high school equivalency diploma;

901 (b) Has completed a course of study at a board-approved
902 massage school ~~or has completed an apprenticeship program~~ that
903 meets standards adopted by the board; and

904 (c) Has received a passing grade on a national an
905 examination designated administered by the board department.

906 (2) Every person desiring to be examined for licensure as a
907 massage therapist shall apply to the department in writing upon
908 forms prepared and furnished by the department. Such applicants
909 shall be subject to the provisions of s. 480.046(1). ~~Applicants~~
910 ~~may take an examination administered by the department only upon~~
911 ~~meeting the requirements of this section as determined by the~~
912 ~~board.~~

913 (8) A person issued a license as a massage apprentice
914 before July 1, 2018, may continue that apprenticeship and
915 perform massage therapy as authorized under that license until
916 its expiration. Upon completion of the apprenticeship, before
917 July 1, 2021, a massage apprentice may apply to the board for
918 full licensure and be granted a license if all other applicable
919 licensure requirements are met.

920 Section 28. Section 480.042, Florida Statutes, is repealed.

921 Section 29. Subsection (3) of section 480.046, Florida
922 Statutes, is amended, and subsection (5) is added to that
923 section, to read:

924 480.046 Grounds for disciplinary action by the board.—

925 (3) The board may ~~shall have the power to~~ revoke or suspend
926 the license of a massage establishment licensed under this act,
927 or ~~to~~ deny subsequent licensure of such an establishment, if the
928 establishment is owned by an individual or entity who has had a

588-02622-18

20181486c1

929 prior establishment license revoked, in any either of the
930 following cases:

931 (a) Upon proof that a license has been obtained by fraud or
932 misrepresentation.

933 (b) Upon proof that the holder of a license is guilty of
934 fraud or deceit or of gross negligence, incompetency, or
935 misconduct in the operation of the establishment so licensed.

936 (c) Upon proof that the owner of the massage establishment
937 or any individual or individuals providing massage therapy
938 services within the establishment, in the aggregate or
939 individually, have had three convictions of, or pleas of guilty
940 or nolo contendere to, or dismissals of a criminal action after
941 a successful completion of a pretrial intervention, diversion,
942 or substance abuse program for any misdemeanor or felony,
943 regardless of adjudication, a crime in any jurisdiction related
944 to prostitution and related acts as defined in s. 796.07, which
945 occurred at or within the establishment.

946 (5) An establishment may not apply for relicensure if
947 disciplined under this section unless there is a change in
948 ownership.

949 Section 30. Subsection (3) of section 490.003, Florida
950 Statutes, is amended to read:

951 490.003 Definitions.—As used in this chapter:

952 (3) ~~(a) Prior to July 1, 1999, "doctoral-level psychological~~
953 ~~education" and "doctoral degree in psychology" mean a Psy.D., an~~
954 ~~Ed.D. in psychology, or a Ph.D. in psychology from:~~

955 1. ~~An educational institution which, at the time the~~
956 ~~applicant was enrolled and graduated, had institutional~~
957 ~~accreditation from an agency recognized and approved by the~~

588-02622-18

20181486c1

958 ~~United States Department of Education or was recognized as a~~
959 ~~member in good standing with the Association of Universities and~~
960 ~~Colleges of Canada; and~~

961 ~~2. A psychology program within that educational institution~~
962 ~~which, at the time the applicant was enrolled and graduated, had~~
963 ~~programmatic accreditation from an accrediting agency recognized~~
964 ~~and approved by the United States Department of Education or was~~
965 ~~comparable to such programs.~~

966 ~~(b)~~ Effective July 1, 1999, "doctoral-level psychological
967 education" and "doctoral degree in psychology" mean a Psy.D., an
968 Ed.D. in psychology, or a Ph.D. in psychology from:

969 ~~(a)1.~~ An educational institution that ~~which~~, at the time
970 the applicant was enrolled and graduated, had institutional
971 accreditation from an agency recognized and approved by the
972 United States Department of Education or was recognized as a
973 member in good standing with the Association of Universities and
974 Colleges of Canada; and

975 ~~(b)2.~~ A psychology program within that educational
976 institution which, at the time the applicant was enrolled and
977 graduated, had programmatic accreditation from the American
978 Psychological Association ~~an agency recognized and approved by~~
979 ~~the United States Department of Education.~~

980 Section 31. Paragraph (b) of subsection (1) and paragraph
981 (b) of subsection (2) of section 490.005, Florida Statutes, are
982 amended to read:

983 490.005 Licensure by examination.—

984 (1) Any person desiring to be licensed as a psychologist
985 shall apply to the department to take the licensure examination.
986 The department shall license each applicant who the board

588-02622-18

20181486c1

987 certifies has:

988 (b) Submitted proof satisfactory to the board that the
989 applicant has:

990 1. Received doctoral-level psychological education, as
991 defined in s. 490.003(3); or

992 2. Received the equivalent of a doctoral-level
993 psychological education, as defined in s. 490.003(3), from a
994 program at a school or university located outside the United
995 States of America ~~and Canada~~, which was officially recognized by
996 the government of the country in which it is located as an
997 institution or program to train students to practice
998 professional psychology. The burden of establishing that the
999 requirements of this provision have been met shall be upon the
1000 applicant;

1001 ~~3. Received and submitted to the board, prior to July 1,~~
1002 ~~1999, certification of an augmented doctoral-level psychological~~
1003 ~~education from the program director of a doctoral-level~~
1004 ~~psychology program accredited by a programmatic agency~~
1005 ~~recognized and approved by the United States Department of~~
1006 ~~Education; or~~

1007 ~~4. Received and submitted to the board, prior to August 31,~~
1008 ~~2001, certification of a doctoral-level program that at the time~~
1009 ~~the applicant was enrolled and graduated maintained a standard~~
1010 ~~of education and training comparable to the standard of training~~
1011 ~~of programs accredited by a programmatic agency recognized and~~
1012 ~~approved by the United States Department of Education. Such~~
1013 ~~certification of comparability shall be provided by the program~~
1014 ~~director of a doctoral-level psychology program accredited by a~~
1015 ~~programmatic agency recognized and approved by the United States~~

588-02622-18

20181486c1

1016 ~~Department of Education.~~

1017 (2) Any person desiring to be licensed as a school
1018 psychologist shall apply to the department to take the licensure
1019 examination. The department shall license each applicant who the
1020 department certifies has:

1021 (b) Submitted satisfactory proof to the department that the
1022 applicant:

1023 1. Has received a doctorate, specialist, or equivalent
1024 degree from a program primarily psychological in nature and has
1025 completed 60 semester hours or 90 quarter hours of graduate
1026 study, in areas related to school psychology as defined by rule
1027 of the department, from a college or university which at the
1028 time the applicant was enrolled and graduated was accredited by
1029 an accrediting agency recognized and approved by the Council for
1030 Higher Education Accreditation, its successor, Commission on
1031 ~~Recognition of Postsecondary Accreditation~~ or an institution
1032 which is publicly recognized as a member in good standing with
1033 the Association of Universities and Colleges of Canada.

1034 2. Has had a minimum of 3 years of experience in school
1035 psychology, 2 years of which must be supervised by an individual
1036 who is a licensed school psychologist or who has otherwise
1037 qualified as a school psychologist supervisor, by education and
1038 experience, as set forth by rule of the department. A doctoral
1039 internship may be applied toward the supervision requirement.

1040 3. Has passed an examination provided by the department.

1041 Section 32. Subsection (1) of section 490.006, Florida
1042 Statutes, is amended to read:

1043 490.006 Licensure by endorsement.—

1044 (1) The department shall license a person as a psychologist

588-02622-18

20181486c1

1045 or school psychologist who, upon applying to the department and
1046 remitting the appropriate fee, demonstrates to the department
1047 or, in the case of psychologists, to the board that the
1048 applicant:

1049 ~~(a) Holds a valid license or certificate in another state~~
1050 ~~to practice psychology or school psychology, as applicable,~~
1051 ~~provided that, when the applicant secured such license or~~
1052 ~~certificate, the requirements were substantially equivalent to~~
1053 ~~or more stringent than those set forth in this chapter at that~~
1054 ~~time; and, if no Florida law existed at that time, then the~~
1055 ~~requirements in the other state must have been substantially~~
1056 ~~equivalent to or more stringent than those set forth in this~~
1057 ~~chapter at the present time;~~

1058 (a) ~~(b)~~ Is a diplomate in good standing with the American
1059 Board of Professional Psychology, Inc.; or

1060 (b) ~~(c)~~ Possesses a doctoral degree in psychology as
1061 described in s. 490.003 and has at least 10 ~~20~~ years of
1062 experience as a licensed psychologist in any jurisdiction or
1063 territory of the United States within 25 years preceding the
1064 date of application.

1065 Section 33. Subsection (6) of section 491.0045, Florida
1066 Statutes, as amended by chapter 2016-80 and chapter 2016-241,
1067 Laws of Florida, is amended to read:

1068 491.0045 Intern registration; requirements.—

1069 (6) A registration issued on or before March 31, 2017,
1070 expires March 31, 2022, and may not be renewed or reissued. Any
1071 registration issued after March 31, 2017, expires 60 months
1072 after the date it is issued. The board may make a one-time
1073 exception from the requirements of this section in emergency or

588-02622-18

20181486c1

1074 hardship cases, as defined by board rule, if ~~A subsequent intern~~
1075 ~~registration may not be issued unless~~ the candidate has passed
1076 the theory and practice examination described in s.
1077 491.005(1)(d), (3)(d), and (4)(d).

1078 Section 34. Subsections (3) and (4) of section 491.005,
1079 Florida Statutes, are amended to read:

1080 491.005 Licensure by examination.—

1081 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
1082 documentation and payment of a fee not to exceed \$200, as set by
1083 board rule, plus the actual cost ~~to the department~~ for the
1084 purchase of the examination from the Association of Marital and
1085 Family Therapy Regulatory Board, or similar national
1086 organization, the department shall issue a license as a marriage
1087 and family therapist to an applicant who the board certifies:

1088 (a) Has submitted an application and paid the appropriate
1089 fee.

1090 (b)1. Has a minimum of a master's degree with major
1091 emphasis in marriage and family therapy from a program
1092 accredited by the Commission on Accreditation for Marriage and
1093 Family Therapy Education or from a Florida university program
1094 accredited by the Council for Accreditation of Counseling and
1095 Related Educational Programs, or a closely related field, and
1096 has completed graduate courses approved by the Board of Clinical
1097 Social Work, Marriage and Family Therapy, and Mental Health
1098 Counseling. ~~has completed all of the following requirements:~~

1099 ~~a. Thirty six semester hours or 48 quarter hours of~~
1100 ~~graduate coursework, which must include a minimum of 3 semester~~
1101 ~~hours or 4 quarter hours of graduate-level course credits in~~
1102 ~~each of the following nine areas: dynamics of marriage and~~

588-02622-18

20181486c1

1103 ~~family systems; marriage therapy and counseling theory and~~
1104 ~~techniques; family therapy and counseling theory and techniques;~~
1105 ~~individual human development theories throughout the life cycle;~~
1106 ~~personality theory or general counseling theory and techniques;~~
1107 ~~psychopathology; human sexuality theory and counseling~~
1108 ~~techniques; psychosocial theory; and substance abuse theory and~~
1109 ~~counseling techniques. Courses in research, evaluation,~~
1110 ~~appraisal, assessment, or testing theories and procedures;~~
1111 ~~thesis or dissertation work; or practicums, internships, or~~
1112 ~~fieldwork may not be applied toward this requirement.~~

1113 ~~b. A minimum of one graduate-level course of 3 semester~~
1114 ~~hours or 4 quarter hours in legal, ethical, and professional~~
1115 ~~standards issues in the practice of marriage and family therapy~~
1116 ~~or a course determined by the board to be equivalent.~~

1117 ~~e. A minimum of one graduate-level course of 3 semester~~
1118 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~
1119 ~~and testing for individual or interpersonal disorder or~~
1120 ~~dysfunction; and a minimum of one 3 semester hour or 4 quarter-~~
1121 ~~hour graduate-level course in behavioral research which focuses~~
1122 ~~on the interpretation and application of research data as it~~
1123 ~~applies to clinical practice. Credit for thesis or dissertation~~
1124 ~~work, practicums, internships, or fieldwork may not be applied~~
1125 ~~toward this requirement.~~

1126 ~~d. A minimum of one supervised clinical practicum,~~
1127 ~~internship, or field experience in a marriage and family~~
1128 ~~counseling setting, during which the student provided 180 direct~~
1129 ~~client contact hours of marriage and family therapy services~~
1130 ~~under the supervision of an individual who met the requirements~~
1131 ~~for supervision under paragraph (c). This requirement may be met~~

588-02622-18

20181486c1

1132 ~~by a supervised practice experience which took place outside the~~
1133 ~~academic arena, but which is certified as equivalent to a~~
1134 ~~graduate-level practicum or internship program which required a~~
1135 ~~minimum of 180 direct client contact hours of marriage and~~
1136 ~~family therapy services currently offered within an academic~~
1137 ~~program of a college or university accredited by an accrediting~~
1138 ~~agency approved by the United States Department of Education, or~~
1139 ~~an institution which is publicly recognized as a member in good~~
1140 ~~standing with the Association of Universities and Colleges of~~
1141 ~~Canada or a training institution accredited by the Commission on~~
1142 ~~Accreditation for Marriage and Family Therapy Education~~
1143 ~~recognized by the United States Department of Education.~~
1144 ~~Certification shall be required from an official of such~~
1145 ~~college, university, or training institution.~~

1146 2. If the course title which appears on the applicant's
1147 transcript does not clearly identify the content of the
1148 coursework, the applicant shall be required to provide
1149 additional documentation, including, but not limited to, a
1150 syllabus or catalog description published for the course.

1151
1152 The required master's degree must have been received in an
1153 institution of higher education which at the time the applicant
1154 graduated was: fully accredited by a regional accrediting body
1155 recognized by the Commission on Recognition of Postsecondary
1156 Accreditation; publicly recognized as a member in good standing
1157 with the Association of Universities and Colleges of Canada; or
1158 an institution of higher education located outside the United
1159 States and Canada, which at the time the applicant was enrolled
1160 and at the time the applicant graduated maintained a standard of

588-02622-18

20181486c1

1161 training substantially equivalent to the standards of training
1162 of those institutions in the United States which are accredited
1163 by a regional accrediting body recognized by the Commission on
1164 Recognition of Postsecondary Accreditation. Such foreign
1165 education and training must have been received in an institution
1166 or program of higher education officially recognized by the
1167 government of the country in which it is located as an
1168 institution or program to train students to practice as
1169 professional marriage and family therapists or psychotherapists.
1170 The burden of establishing that the requirements of this
1171 provision have been met shall be upon the applicant, and the
1172 board shall require documentation, such as, but not limited to,
1173 an evaluation by a foreign equivalency determination service, as
1174 evidence that the applicant's graduate degree program and
1175 education were equivalent to an accredited program in this
1176 country. An applicant with a master's degree from a program
1177 which did not emphasize marriage and family therapy may complete
1178 the coursework requirement in a training institution fully
1179 accredited by the Commission on Accreditation for Marriage and
1180 Family Therapy Education recognized by the United States
1181 Department of Education.

1182 (c) Has had at least 2 years of clinical experience during
1183 which 50 percent of the applicant's clients were receiving
1184 marriage and family therapy services, which must be at the post-
1185 master's level under the supervision of a licensed marriage and
1186 family therapist with at least 5 years of experience, or the
1187 equivalent, who is a qualified supervisor as determined by the
1188 board. An individual who intends to practice in Florida to
1189 satisfy the clinical experience requirements must register

588-02622-18

20181486c1

1190 pursuant to s. 491.0045 before commencing practice. If a
1191 graduate has a master's degree with a major emphasis in marriage
1192 and family therapy or a closely related field that did not
1193 include all the coursework required under subparagraph (b)1.
1194 ~~sub-subparagraphs (b)1.a.-c.~~, credit for the post-master's level
1195 clinical experience shall not commence until the applicant has
1196 completed a minimum of 10 of the courses required under
1197 subparagraph (b)1. ~~sub-subparagraphs (b)1.a.-c.~~, as determined
1198 by the board, and at least 6 semester hours or 9 quarter hours
1199 of the course credits must have been completed in the area of
1200 marriage and family systems, theories, or techniques. Within the
1201 2 ~~3~~ years of required experience, the applicant shall provide
1202 direct individual, group, or family therapy and counseling, to
1203 include the following categories of cases: unmarried dyads,
1204 married couples, separating and divorcing couples, and family
1205 groups including children. A doctoral internship may be applied
1206 toward the clinical experience requirement. A licensed mental
1207 health professional must be on the premises when clinical
1208 services are provided by a registered intern in a private
1209 practice setting.

1210 (d) Has passed a theory and practice examination provided
1211 by the department for this purpose.

1212 (e) Has demonstrated, in a manner designated by rule of the
1213 board, knowledge of the laws and rules governing the practice of
1214 clinical social work, marriage and family therapy, and mental
1215 health counseling.

1216 (f) For the purposes of dual licensure, the department
1217 shall license as a marriage and family therapist any person who
1218 meets the requirements of s. 491.0057. Fees for dual licensure

588-02622-18

20181486c1

1219 shall not exceed those stated in this subsection.

1220 (4) MENTAL HEALTH COUNSELING.—Upon verification of
1221 documentation and payment of a fee not to exceed \$200, as set by
1222 board rule, plus the actual per applicant cost to the department
1223 for purchase of the examination from the National Board for
1224 Certified Counselors or its successor ~~Professional Examination~~
1225 ~~Service for the National Academy of Certified Clinical Mental~~
1226 ~~Health Counselors or a similar national organization~~, the
1227 department shall issue a license as a mental health counselor to
1228 an applicant who the board certifies:

1229 (a) Has submitted an application and paid the appropriate
1230 fee.

1231 (b)1. Has a minimum of an earned master's degree from a
1232 mental health counseling program accredited by the Council for
1233 the Accreditation of Counseling and Related Educational Programs
1234 that consists of at least 60 semester hours or 80 quarter hours
1235 of clinical and didactic instruction, including a course in
1236 human sexuality and a course in substance abuse. If the master's
1237 degree is earned from a program related to the practice of
1238 mental health counseling that is not accredited by the Council
1239 for the Accreditation of Counseling and Related Educational
1240 Programs, then the coursework and practicum, internship, or
1241 fieldwork must consist of at least 60 semester hours or 80
1242 quarter hours and meet the following requirements:

1243 a. Thirty-three semester hours or 44 quarter hours of
1244 graduate coursework, which must include a minimum of 3 semester
1245 hours or 4 quarter hours of graduate-level coursework in each of
1246 the following 11 content areas: counseling theories and
1247 practice; human growth and development; diagnosis and treatment

588-02622-18

20181486c1

1248 of psychopathology; human sexuality; group theories and
1249 practice; individual evaluation and assessment; career and
1250 lifestyle assessment; research and program evaluation; social
1251 and cultural foundations; ~~counseling in community settings; and~~
1252 ~~substance abuse; and legal, ethical, and professional standards~~
1253 issues in the practice of mental health counseling. Courses in
1254 research, thesis or dissertation work, practicums, internships,
1255 or fieldwork may not be applied toward this requirement.

1256 b. A minimum of 3 semester hours or 4 quarter hours of
1257 graduate-level coursework addressing diagnostic processes,
1258 including differential diagnosis and the use of the current
1259 diagnostic tools, such as the current edition of the American
1260 Psychiatric Association's Diagnostic and Statistical Manual of
1261 Mental Disorders. The graduate program must have emphasized the
1262 common core curricular experience in legal, ethical, and
1263 ~~professional standards issues in the practice of mental health~~
1264 ~~counseling, which includes goals, objectives, and practices of~~
1265 ~~professional counseling organizations, codes of ethics, legal~~
1266 ~~considerations, standards of preparation, certifications and~~
1267 ~~licensing, and the role identity and professional obligations of~~
1268 ~~mental health counselors. Courses in research, thesis or~~
1269 ~~dissertation work, practicums, internships, or fieldwork may not~~
1270 ~~be applied toward this requirement.~~

1271 c. The equivalent, as determined by the board, of at least
1272 700 ~~1,000~~ hours of university-sponsored supervised clinical
1273 practicum, internship, or field experience that includes at
1274 least 280 hours of direct client services, as required in the
1275 accrediting standards of the Council for Accreditation of
1276 Counseling and Related Educational Programs for mental health

588-02622-18

20181486c1

1277 counseling programs. This experience may not be used to satisfy
1278 the post-master's clinical experience requirement.

1279 2. If the course title which appears on the applicant's
1280 transcript does not clearly identify the content of the
1281 coursework, the applicant shall be required to provide
1282 additional documentation, including, but not limited to, a
1283 syllabus or catalog description published for the course.

1284
1285 Education and training in mental health counseling must have
1286 been received in an institution of higher education which at the
1287 time the applicant graduated was: fully accredited by a regional
1288 accrediting body recognized by the Council for Higher Education
1289 or its successor ~~Commission on Recognition of Postsecondary~~
1290 ~~Accreditation~~; publicly recognized as a member in good standing
1291 with the Association of Universities and Colleges of Canada; or
1292 an institution of higher education located outside the United
1293 States and Canada, which at the time the applicant was enrolled
1294 and at the time the applicant graduated maintained a standard of
1295 training substantially equivalent to the standards of training
1296 of those institutions in the United States which are accredited
1297 by a regional accrediting body recognized by the Council for
1298 Higher Education or its successor ~~Commission on Recognition of~~
1299 ~~Postsecondary Accreditation~~. Such foreign education and training
1300 must have been received in an institution or program of higher
1301 education officially recognized by the government of the country
1302 in which it is located as an institution or program to train
1303 students to practice as mental health counselors. The burden of
1304 establishing that the requirements of this provision have been
1305 met shall be upon the applicant, and the board shall require

588-02622-18

20181486c1

1306 documentation, such as, but not limited to, an evaluation by a
1307 foreign equivalency determination service, as evidence that the
1308 applicant's graduate degree program and education were
1309 equivalent to an accredited program in this country. Beginning
1310 July 1, 2024, an applicant must have a master's degree that is
1311 accredited by the Council for Accreditation of Counseling and
1312 Related Educational Programs which consists of at least 60
1313 semester hours or 80 quarter hours to apply for licensure under
1314 this paragraph.

1315 (c) Has had at least 2 years of clinical experience in
1316 mental health counseling, which must be at the post-master's
1317 level under the supervision of a licensed mental health
1318 counselor or the equivalent who is a qualified supervisor as
1319 determined by the board. An individual who intends to practice
1320 in Florida to satisfy the clinical experience requirements must
1321 register pursuant to s. 491.0045 before commencing practice. If
1322 a graduate has a master's degree with a major related to the
1323 practice of mental health counseling that did not include all
1324 the coursework required under sub-subparagraphs (b)1.a.-b.,
1325 credit for the post-master's level clinical experience shall not
1326 commence until the applicant has completed a minimum of seven of
1327 the courses required under sub-subparagraphs (b)1.a.-b., as
1328 determined by the board, one of which must be a course in
1329 psychopathology or abnormal psychology. A doctoral internship
1330 may be applied toward the clinical experience requirement. A
1331 licensed mental health professional must be on the premises when
1332 clinical services are provided by a registered intern in a
1333 private practice setting.

1334 (d) Has passed a theory and practice examination provided

588-02622-18

20181486c1

1335 by the department for this purpose.

1336 (e) Has demonstrated, in a manner designated by rule of the
1337 board, knowledge of the laws and rules governing the practice of
1338 clinical social work, marriage and family therapy, and mental
1339 health counseling.

1340 Section 35. Paragraph (b) of subsection (1) of section
1341 491.006, Florida Statutes, is amended to read:

1342 491.006 Licensure or certification by endorsement.—

1343 (1) The department shall license or grant a certificate to
1344 a person in a profession regulated by this chapter who, upon
1345 applying to the department and remitting the appropriate fee,
1346 demonstrates to the board that he or she:

1347 (b)1. Holds an active valid license to practice and has
1348 actively practiced the profession for which licensure is applied
1349 in another state for 3 of the last 5 years immediately preceding
1350 licensure.

1351 ~~2. Meets the education requirements of this chapter for the~~
1352 ~~profession for which licensure is applied.~~

1353 2.3. Has passed a substantially equivalent licensing
1354 examination in another state or has passed the licensure
1355 examination in this state in the profession for which the
1356 applicant seeks licensure.

1357 3.4. Holds a license in good standing, is not under
1358 investigation for an act that would constitute a violation of
1359 this chapter, and has not been found to have committed any act
1360 that would constitute a violation of this chapter. The fees paid
1361 by any applicant for certification as a master social worker
1362 under this section are nonrefundable.

1363 Section 36. Subsection (3) of section 491.007, Florida

588-02622-18

20181486c1

1364 Statutes, is amended to read:

1365 491.007 Renewal of license, registration, or certificate.-

1366 ~~(3) The board or department shall prescribe by rule a~~
1367 ~~method for the biennial renewal of an intern registration at a~~
1368 ~~fee set by rule, not to exceed \$100.~~

1369 Section 37. Subsection (2) of section 491.009, Florida
1370 Statutes, is amended to read:

1371 491.009 Discipline.-

1372 (2) The board ~~department~~, or, in the case of certified
1373 master social workers ~~psychologists~~, the department ~~board~~, may
1374 enter an order denying licensure or imposing any of the
1375 penalties in s. 456.072(2) against any applicant for licensure
1376 or licensee who is found guilty of violating any provision of
1377 subsection (1) of this section or who is found guilty of
1378 violating any provision of s. 456.072(1).

1379 Section 38. Paragraph (c) of subsection (2) of section
1380 491.0046, Florida Statutes, is amended to read:

1381 491.0046 Provisional license; requirements.-

1382 (2) The department shall issue a provisional clinical
1383 social worker license, provisional marriage and family therapist
1384 license, or provisional mental health counselor license to each
1385 applicant who the board certifies has:

1386 (c) Has met the following minimum coursework requirements:

1387 1. For clinical social work, a minimum of 15 semester hours
1388 or 22 quarter hours of the coursework required by s.

1389 491.005(1) (b) 2.b.

1390 2. For marriage and family therapy, 10 of the courses
1391 required by s. 491.005(3) (b) 1. ~~s. 491.005(3) (b) 1.a.-c.~~, as
1392 determined by the board, and at least 6 semester hours or 9

588-02622-18

20181486c1

1393 quarter hours of the course credits must have been completed in
1394 the area of marriage and family systems, theories, or
1395 techniques.

1396 3. For mental health counseling, a minimum of seven of the
1397 courses required under s. 491.005(4)(b)1.a.-c.

1398 Section 39. Subsection (11) of section 945.42, Florida
1399 Statutes, is amended to read:

1400 945.42 Definitions; ss. 945.40-945.49.—As used in ss.
1401 945.40-945.49, the following terms shall have the meanings
1402 ascribed to them, unless the context shall clearly indicate
1403 otherwise:

1404 (11) "Psychological professional" means a behavioral
1405 practitioner who has an approved doctoral degree in psychology
1406 as defined in s. 490.003(3) ~~s. 490.003(3)(b)~~ and is employed by
1407 the department or who is licensed as a psychologist pursuant to
1408 chapter 490.

1409 Section 40. This act shall take effect July 1, 2018.