



176038

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/01/2018	.	
	.	
	.	
	.	

---

The Committee on Rules (Brandes) recommended the following:

1           **Senate Amendment to Amendment (204760) (with title**  
2 **amendment)**

3  
4           Delete line 91

5 and insert:

6           Section 2. Effective October 1, 2018, subsections (3), (6),  
7 and (7) of section 464.003, Florida Statutes, are amended, to  
8 read:

9           464.003 Definitions.—As used in this part, the term:

10           (3) “Advanced practice registered nurse” ~~“Advanced~~  
11 ~~registered nurse practitioner”~~ means any person licensed in this



176038

12 state to practice professional nursing and who is licensed  
13 ~~certified~~ in an advanced or specialized nursing practice,  
14 including certified nurse midwives, certified nurse  
15 practitioners, certified registered nurse anesthetists, clinical  
16 nurse specialists ~~certified nurse midwives,~~ and psychiatric  
17 nurses ~~nurse practitioners.~~

18 (6) ~~"Clinical nurse specialist" means any person licensed~~  
19 ~~in this state to practice professional nursing and certified in~~  
20 ~~clinical nurse specialist practice.~~

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

24 (a) ~~Assess the health status of individuals and families~~  
25 ~~using methods appropriate to the population and area of~~  
26 ~~practice.~~

27 (b) ~~Diagnose human responses to actual or potential health~~  
28 ~~problems.~~

29 (c) ~~Plan for health promotion, disease prevention, and~~  
30 ~~therapeutic intervention in collaboration with the patient or~~  
31 ~~client.~~

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

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

39 Section 3. Effective October 1, 2018, section 464.0115,  
40 Florida Statutes, is repealed.



176038

41 Section 4. Effective October 1, 2018, section 464.012,  
42 Florida Statutes, as amended by section 3 of chapter 2017-134,  
43 section 8 of chapter 2016-139, and section 7 of chapter 2016-  
44 231, Laws of Florida, is amended to read:

45 464.012 Licensure Certification of advanced practice  
46 registered nurses ~~advanced registered nurse practitioners~~; fees;  
47 controlled substance prescribing.-

48 (1) Any nurse desiring to be licensed ~~certified~~ as an  
49 advanced practice registered nurse ~~must advanced registered~~  
50 ~~nurse practitioner~~ shall apply to the department and submit  
51 proof that he or she holds a current license to practice  
52 professional nursing or holds an active multistate license to  
53 practice professional nursing pursuant to s. 464.0095 and that  
54 he or she meets one or more of the following requirements as  
55 determined by the board:

56 (a) Certification by an appropriate specialty board. Such  
57 certification ~~is shall be~~ required for initial state licensure  
58 ~~certification~~ and any licensure renewal ~~recertification~~ as a  
59 certified nurse midwife, certified nurse practitioner, certified  
60 registered nurse anesthetist, clinical nurse specialist, or  
61 psychiatric nurse, ~~or nurse midwife~~. The board may by rule  
62 provide for provisional state licensure ~~certification~~ of  
63 ~~graduate~~ certified registered nurse anesthetists, clinical nurse  
64 specialists, certified nurse practitioners, psychiatric nurses,  
65 and certified nurse midwives for a period of time determined to  
66 be appropriate for preparing for and passing the national  
67 certification examination.

68 (b) Graduation from a program leading to a master's degree  
69 in a nursing clinical specialty area with preparation in



70 specialized practitioner skills. For applicants graduating on or  
71 after October 1, 1998, graduation from a master's degree program  
72 ~~is shall be~~ required for initial licensure certification as a  
73 certified nurse practitioner under paragraph (4) (a) ~~(4) (e)~~.

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

79 2. For applicants graduating on or after October 1, 1998,  
80 graduation from a master's degree program is required for  
81 initial licensure as a certified nurse midwife who may perform  
82 the acts listed in paragraph (4) (c).

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

87 (2) (a) The board shall provide by rule the appropriate  
88 requirements for advanced practice registered nurses for  
89 ~~advanced registered nurse practitioners in the~~ advanced nursing  
90 practices categories of certified nurse midwives, certified  
91 nurse practitioners, certified registered nurse anesthetists  
92 ~~anesthetist, clinical certified nurse specialists midwife, and~~  
93 psychiatric nurses nurse practitioner.

94 (3) An advanced practice registered nurse ~~advanced~~  
95 ~~registered nurse practitioner~~ shall perform those functions  
96 authorized in this section within the framework of an  
97 established protocol that ~~which~~ must be maintained on site at  
98 the location or locations at which an advanced practice



176038

99 ~~registered nurse advanced registered nurse practitioner~~  
100 practices. In the case of multiple supervising physicians in the  
101 same group, an advanced practice registered nurse ~~advanced~~  
102 ~~registered nurse practitioner~~ must enter into a supervisory  
103 protocol with at least one physician within the physician group  
104 practice. A practitioner currently licensed under chapter 458,  
105 chapter 459, or chapter 466 shall maintain supervision for  
106 directing the specific course of medical treatment. Within the  
107 established framework, an advanced practice registered nurse  
108 ~~advanced registered nurse practitioner~~ may:

109 (a) Prescribe, dispense, administer, or order any drug;  
110 however, an advanced practice registered nurse ~~advanced~~  
111 ~~registered nurse practitioner~~ may prescribe or dispense a  
112 controlled substance as defined in s. 893.03 only if the  
113 advanced practice registered nurse ~~advanced registered nurse~~  
114 ~~practitioner~~ has graduated from a program leading to a master's  
115 or doctoral degree in a clinical nursing specialty area with  
116 training in specialized practitioner skills.

117 (b) Initiate appropriate therapies for certain conditions.

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

120 (d) Order diagnostic tests and physical and occupational  
121 therapy.

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

125 (4) In addition to the general functions specified in  
126 subsection (3), an advanced practice registered nurse ~~advanced~~  
127 ~~registered nurse practitioner~~ may perform the following acts



176038

128 within his or her specialty:

129 (a) The certified nurse practitioner may perform any or all  
130 of the following acts within the framework of established  
131 protocol:

- 132 1. Manage selected medical problems.  
133 2. Order physical and occupational therapy.  
134 3. Initiate, monitor, or alter therapies for certain  
135 uncomplicated acute illnesses.  
136 4. Monitor and manage patients with stable chronic  
137 diseases.  
138 5. Establish behavioral problems and diagnosis and make  
139 treatment recommendations.

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

- 144 1. Determine the health status of the patient as it relates  
145 to the risk factors and to the anesthetic management of the  
146 patient through the performance of the general functions.  
147 2. Based on history, physical assessment, and supplemental  
148 laboratory results, determine, with the consent of the  
149 responsible physician, the appropriate type of anesthesia within  
150 the framework of the protocol.  
151 3. Order under the protocol preanesthetic medication.  
152 4. Perform under the protocol procedures commonly used to  
153 render the patient insensible to pain during the performance of  
154 surgical, obstetrical, therapeutic, or diagnostic clinical  
155 procedures. These procedures include ordering and administering  
156 regional, spinal, and general anesthesia; inhalation agents and



157 techniques; intravenous agents and techniques; and techniques of  
158 hypnosis.

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

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

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

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

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

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

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

182             1. Perform superficial minor surgical procedures.

183             2. Manage the patient during labor and delivery to include  
184 amniotomy, episiotomy, and repair.

185             3. Order, initiate, and perform appropriate anesthetic



176038

186 procedures.

187 4. Perform postpartum examination.

188 5. Order appropriate medications.

189 6. Provide family-planning services and well-woman care.

190 7. Manage the medical care of the normal obstetrical

191 patient and the initial care of a newborn patient.

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

194 1. Assess the health status of individuals and families  
195 using methods appropriate to the population and area of  
196 practice.

197 2. Diagnose human responses to actual or potential health  
198 problems.

199 3. Plan for health promotion, disease prevention, and  
200 therapeutic intervention in collaboration with the patient or  
201 client.

202 4. Implement therapeutic interventions based on the nurse  
203 specialist's area of expertise and within the scope of advanced  
204 nursing practice, including, but not limited to, direct nursing  
205 care, counseling, teaching, and collaboration with other  
206 licensed health care providers.

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

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

211 ~~1. Manage selected medical problems.~~

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

213 ~~3. Initiate, monitor, or alter therapies for certain~~  
214 ~~uncomplicated acute illnesses.~~





176038

215 ~~4. Monitor and manage patients with stable chronic~~  
216 ~~diseases.~~

217 ~~5. Establish behavioral problems and diagnosis and make~~  
218 ~~treatment recommendations.~~

219 ~~(e)(5)~~ A psychiatric nurse, who meets the requirements in  
220 s. 394.455(35) as defined in s. 394.455, within the framework of  
221 an established protocol with a psychiatrist, may prescribe  
222 psychotropic controlled substances for the treatment of mental  
223 disorders.

224 ~~(5)(6)~~ The board shall approve for licensure ~~certify~~, and  
225 the department shall issue a license ~~certificate~~ to, any nurse  
226 meeting the qualifications in this section. The board shall  
227 establish an application fee not to exceed \$100 and a biennial  
228 renewal fee not to exceed \$50. The board is authorized to adopt  
229 such other rules as are necessary to implement the provisions of  
230 this section.

231 ~~(6)(7)~~(a) The board shall establish a committee to  
232 recommend a formulary of controlled substances that an advanced  
233 practice registered nurse ~~advanced registered nurse practitioner~~  
234 may not prescribe or may prescribe only for specific uses or in  
235 limited quantities. The committee must consist of three advanced  
236 practice registered nurses ~~advanced registered nurse~~  
237 ~~practitioners~~ licensed under this section, recommended by the  
238 board; three physicians licensed under chapter 458 or chapter  
239 459 who have work experience with advanced practice registered  
240 nurses ~~advanced registered nurse practitioners~~, recommended by  
241 the Board of Medicine; and a pharmacist licensed under chapter  
242 465 who is a doctor of pharmacy, recommended by the Board of  
243 Pharmacy. The committee may recommend an evidence-based



176038

244 formulary applicable to all advanced practice registered nurses  
245 ~~advanced registered nurse practitioners~~ which is limited by  
246 specialty certification, is limited to approved uses of  
247 controlled substances, or is subject to other similar  
248 restrictions the committee finds are necessary to protect the  
249 health, safety, and welfare of the public. The formulary must  
250 restrict the prescribing of psychiatric mental health controlled  
251 substances for children younger than 18 years of age to advanced  
252 practice registered nurses ~~advanced registered nurse~~  
253 ~~practitioners~~ who also are psychiatric nurses as defined in s.  
254 394.455. The formulary must also limit the prescribing of  
255 Schedule II controlled substances as listed in s. 893.03 to a 7-  
256 day supply, except that such restriction does not apply to  
257 controlled substances that are psychiatric medications  
258 prescribed by psychiatric nurses as defined in s. 394.455.

259 (b) The board shall adopt by rule the recommended formulary  
260 and any revision to the formulary which it finds is supported by  
261 evidence-based clinical findings presented by the Board of  
262 Medicine, the Board of Osteopathic Medicine, or the Board of  
263 Dentistry.

264 (c) The formulary required under this subsection does not  
265 apply to a controlled substance that is dispensed for  
266 administration pursuant to an order, including an order for  
267 medication authorized by subparagraph (4) (b) 3., subparagraph  
268 (4) (b) 4., or subparagraph (4) (b) 9 ~~subparagraph (4) (a) 3.,~~  
269 ~~subparagraph (4) (a) 4., or subparagraph (4) (a) 9.~~

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

272 (7) ~~(8)~~ This section shall be known as "The Barbara Lumpkin



176038

273 Prescribing Act.”

274 (8) The department and board shall establish a transition  
275 timeline and process for practitioners certified as of September  
276 30, 2018, as advanced registered nurse practitioners or clinical  
277 nurse specialists, to convert a certificate in good standing to  
278 a license that becomes effective on October 1, 2018, to practice  
279 as an advanced practice registered nurse. An advanced registered  
280 nurse practitioner or a clinical nurse specialist holding a  
281 certificate to practice in good standing on September 30, 2018,  
282 may continue to practice with all rights, authorizations, and  
283 responsibilities under this section for licensure as an advanced  
284 practice registered nurse and may use the applicable title under  
285 s. 464.015 after the effective date of this act while the  
286 department and board complete the transition from certification  
287 to licensure, as established under this act. This subsection may  
288 not be construed to limit or restrict the department’s or  
289 board’s disciplinary authority or enforcement responsibilities  
290 for safe nursing practice. This subsection expires on October 1,  
291 2020.

292 Section 5. Effective October 1, 2018, subsection (2) of  
293 section 960.28, Florida Statutes, is amended to read:

294 960.28 Payment for victims’ initial forensic physical  
295 examinations.—

296 (2) The Crime Victims’ Services Office of the department  
297 shall pay for medical expenses connected with an initial  
298 forensic physical examination of a victim of sexual battery as  
299 defined in chapter 794 or a lewd or lascivious offense as  
300 defined in chapter 800. Such payment shall be made regardless of  
301 whether the victim is covered by health or disability insurance



302 and whether the victim participates in the criminal justice  
303 system or cooperates with law enforcement. The payment shall be  
304 made only out of moneys allocated to the Crime Victims' Services  
305 Office for the purposes of this section, and the payment may not  
306 exceed \$500 with respect to any violation. The department shall  
307 develop and maintain separate protocols for the initial forensic  
308 physical examination of adults and children. Payment under this  
309 section is limited to medical expenses connected with the  
310 initial forensic physical examination, and payment may be made  
311 to a medical provider using an examiner qualified under part I  
312 of chapter 464, excluding s. 464.003(14) ~~s. 464.003(16)~~; chapter  
313 458; or chapter 459. Payment made to the medical provider by the  
314 department shall be considered by the provider as payment in  
315 full for the initial forensic physical examination associated  
316 with the collection of evidence. The victim may not be required  
317 to pay, directly or indirectly, the cost of an initial forensic  
318 physical examination performed in accordance with this section.

319 Section 6. Effective October 1, 2018, paragraph (c) of  
320 subsection (5) and paragraph (a) of subsection (6) of section  
321 39.303, Florida Statutes, are amended to read:

322 39.303 Child protection teams and sexual abuse treatment  
323 programs; services; eligible cases.—

324 (5) All abuse and neglect cases transmitted for  
325 investigation to a circuit by the hotline must be simultaneously  
326 transmitted to the child protection team for review. For the  
327 purpose of determining whether a face-to-face medical evaluation  
328 by a child protection team is necessary, all cases transmitted  
329 to the child protection team which meet the criteria in  
330 subsection (4) must be timely reviewed by:



331 (c) An advanced practice registered nurse ~~advanced~~  
332 ~~registered nurse practitioner~~ licensed under chapter 464 who has  
333 a specialty in pediatrics or family medicine and is a member of  
334 a child protection team;

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

337 (a) The child was examined for the alleged abuse or neglect  
338 by a physician who is not a member of the child protection team,  
339 and a consultation between the child protection team medical  
340 director or a child protection team board-certified  
341 pediatrician, advanced practice registered nurse ~~advanced~~  
342 ~~registered nurse practitioner~~, physician assistant working under  
343 the supervision of a child protection team medical director or a  
344 child protection team board-certified pediatrician, or  
345 registered nurse working under the direct supervision of a child  
346 protection team medical director or a child protection team  
347 board-certified pediatrician, and the examining physician  
348 concludes that a further medical evaluation is unnecessary;

349  
350 Notwithstanding paragraphs (a), (b), and (c), a child protection  
351 team medical director or a child protection team pediatrician,  
352 as authorized in subsection (5), may determine that a face-to-  
353 face medical evaluation is necessary.

354 Section 7. Effective October 1, 2018, paragraph (b) of  
355 subsection (1) of section 39.304, Florida Statutes, is amended  
356 to read:

357 39.304 Photographs, medical examinations, X rays, and  
358 medical treatment of abused, abandoned, or neglected child.—

359 (1)



176038

360 (b) If the areas of trauma visible on a child indicate a  
361 need for a medical examination, or if the child verbally  
362 complains or otherwise exhibits distress as a result of injury  
363 through suspected child abuse, abandonment, or neglect, or is  
364 alleged to have been sexually abused, the person required to  
365 investigate may cause the child to be referred for diagnosis to  
366 a licensed physician or an emergency department in a hospital  
367 without the consent of the child's parents or legal custodian.  
368 Such examination may be performed by any licensed physician or  
369 an advanced practice registered nurse ~~advanced registered nurse~~  
370 ~~practitioner~~ licensed pursuant to part I of chapter 464. Any  
371 licensed physician, ~~or advanced practice registered nurse~~  
372 ~~advanced registered nurse practitioner~~ licensed pursuant to part  
373 I of chapter 464, who has reasonable cause to suspect that an  
374 injury was the result of child abuse, abandonment, or neglect  
375 may authorize a radiological examination to be performed on the  
376 child without the consent of the child's parent or legal  
377 custodian.

378 Section 8. Effective October 1, 2018, paragraph (a) of  
379 subsection (1) of section 90.503, Florida Statutes, is amended  
380 to read:

381 90.503 Psychotherapist-patient privilege.—

382 (1) For purposes of this section:

383 (a) A "psychotherapist" is:

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

388 2. A person licensed or certified as a psychologist under



389 the laws of any state or nation, who is engaged primarily in the  
390 diagnosis or treatment of a mental or emotional condition,  
391 including alcoholism and other drug addiction;

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

397 4. Treatment personnel of facilities licensed by the state  
398 pursuant to chapter 394, chapter 395, or chapter 397, of  
399 facilities designated by the Department of Children and Families  
400 pursuant to chapter 394 as treatment facilities, or of  
401 facilities defined as community mental health centers pursuant  
402 to s. 394.907(1), who are engaged primarily in the diagnosis or  
403 treatment of a mental or emotional condition, including  
404 alcoholism and other drug addiction; or

405 5. An advanced practice registered nurse licensed advanced  
406 ~~registered nurse practitioner certified~~ under s. 464.012, whose  
407 primary scope of practice is the diagnosis or treatment of  
408 mental or emotional conditions, including chemical abuse, and  
409 limited only to actions performed in accordance with part I of  
410 chapter 464.

411 Section 9. Effective October 1, 2018, paragraph (d) of  
412 subsection (2) of section 110.12315, Florida Statutes, is  
413 amended to read:

414 110.12315 Prescription drug program.—The state employees'  
415 prescription drug program is established. This program shall be  
416 administered by the Department of Management Services, according  
417 to the terms and conditions of the plan as established by the



418 relevant provisions of the annual General Appropriations Act and  
419 implementing legislation, subject to the following conditions:

420 (2) In providing for reimbursement of pharmacies for  
421 prescription drugs and supplies dispensed to members of the  
422 state group health insurance plan and their dependents under the  
423 state employees' prescription drug program:

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

438 Section 10. Effective October 1, 2018, paragraph (f) of  
439 subsection (3) of section 121.0515, Florida Statutes, is amended  
440 to read:

441 121.0515 Special Risk Class.—

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

444 (f) Effective January 1, 2001, the member must be employed  
445 in one of the following classes and must spend at least 75  
446 percent of his or her time performing duties which involve





176038

447 contact with patients or inmates in a correctional or forensic  
448 facility or institution:

- 449 1. Dietitian (class codes 5203 and 5204);
- 450 2. Public health nutrition consultant (class code 5224);
- 451 3. Psychological specialist (class codes 5230 and 5231);
- 452 4. Psychologist (class code 5234);
- 453 5. Senior psychologist (class codes 5237 and 5238);
- 454 6. Regional mental health consultant (class code 5240);
- 455 7. Psychological Services Director-DCF (class code 5242);
- 456 8. Pharmacist (class codes 5245 and 5246);
- 457 9. Senior pharmacist (class codes 5248 and 5249);
- 458 10. Dentist (class code 5266);
- 459 11. Senior dentist (class code 5269);
- 460 12. Registered nurse (class codes 5290 and 5291);
- 461 13. Senior registered nurse (class codes 5292 and 5293);
- 462 14. Registered nurse specialist (class codes 5294 and  
463 5295);
- 464 15. Clinical associate (class codes 5298 and 5299);
- 465 16. Advanced practice registered nurse ~~Advanced registered~~  
466 ~~nurse practitioner~~ (class codes 5297 and 5300);
- 467 17. Advanced practice registered nurse ~~Advanced registered~~  
468 ~~nurse practitioner~~ specialist (class codes 5304 and 5305);
- 469 18. Registered nurse supervisor (class codes 5306 and  
470 5307);
- 471 19. Senior registered nurse supervisor (class codes 5308  
472 and 5309);
- 473 20. Registered nursing consultant (class codes 5312 and  
474 5313);
- 475 21. Quality management program supervisor (class code



476 5314);  
477 22. Executive nursing director (class codes 5320 and 5321);  
478 23. Speech and hearing therapist (class code 5406); or  
479 24. Pharmacy manager (class code 5251);  
480 Section 11. Effective October 1, 2018, paragraph (a) of  
481 subsection (3) of section 252.515, Florida Statutes, is amended  
482 to read:  
483 252.515 Postdisaster Relief Assistance Act; immunity from  
484 civil liability.—  
485 (3) As used in this section, the term:  
486 (a) "Emergency first responder" means:  
487 1. A physician licensed under chapter 458.  
488 2. An osteopathic physician licensed under chapter 459.  
489 3. A chiropractic physician licensed under chapter 460.  
490 4. A podiatric physician licensed under chapter 461.  
491 5. A dentist licensed under chapter 466.  
492 6. An advanced practice registered nurse licensed advanced  
493 ~~registered nurse practitioner certified~~ under s. 464.012.  
494 7. A physician assistant licensed under s. 458.347 or s.  
495 459.022.  
496 8. A worker employed by a public or private hospital in the  
497 state.  
498 9. A paramedic as defined in s. 401.23(17).  
499 10. An emergency medical technician as defined in s.  
500 401.23(11).  
501 11. A firefighter as defined in s. 633.102.  
502 12. A law enforcement officer as defined in s. 943.10.  
503 13. A member of the Florida National Guard.  
504 14. Any other personnel designated as emergency personnel



176038

505 by the Governor pursuant to a declared emergency.

506 Section 12. Effective October 1, 2018, paragraph (c) of  
507 subsection (1) of section 310.071, Florida Statutes, is amended  
508 to read:

509 310.071 Deputy pilot certification.—

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

513 (c) Be in good physical and mental health, as evidenced by  
514 documentary proof of having satisfactorily passed a complete  
515 physical examination administered by a licensed physician within  
516 the preceding 6 months. The board shall adopt rules to establish  
517 requirements for passing the physical examination, which rules  
518 shall establish minimum standards for the physical or mental  
519 capabilities necessary to carry out the professional duties of a  
520 certificated deputy pilot. Such standards shall include zero  
521 tolerance for any controlled substance regulated under chapter  
522 893 unless that individual is under the care of a physician, an  
523 advanced practice registered nurse ~~advanced registered nurse~~  
524 ~~practitioner~~, or a physician assistant and that controlled  
525 substance was prescribed by that physician, advanced practice  
526 registered nurse ~~advanced registered nurse practitioner~~, or  
527 physician assistant. To maintain eligibility as a certificated  
528 deputy pilot, each certificated deputy pilot must annually  
529 provide documentary proof of having satisfactorily passed a  
530 complete physical examination administered by a licensed  
531 physician. The physician must know the minimum standards and  
532 certify that the certificateholder satisfactorily meets the  
533 standards. The standards for certificateholders shall include a



176038

534 drug test.

535 Section 13. Effective October 1, 2018, subsection (3) of  
536 section 310.073, Florida Statutes, is amended to read:

537 310.073 State pilot licensing.—In addition to meeting other  
538 requirements specified in this chapter, each applicant for  
539 license as a state pilot must:

540 (3) Be in good physical and mental health, as evidenced by  
541 documentary proof of having satisfactorily passed a complete  
542 physical examination administered by a licensed physician within  
543 the preceding 6 months. The board shall adopt rules to establish  
544 requirements for passing the physical examination, which rules  
545 shall establish minimum standards for the physical or mental  
546 capabilities necessary to carry out the professional duties of a  
547 licensed state pilot. Such standards shall include zero  
548 tolerance for any controlled substance regulated under chapter  
549 893 unless that individual is under the care of a physician, an  
550 advanced practice registered nurse ~~advanced registered nurse~~  
551 ~~practitioner~~, or a physician assistant and that controlled  
552 substance was prescribed by that physician, advanced practice  
553 registered nurse ~~advanced registered nurse practitioner~~, or  
554 physician assistant. To maintain eligibility as a licensed state  
555 pilot, each licensed state pilot must annually provide  
556 documentary proof of having satisfactorily passed a complete  
557 physical examination administered by a licensed physician. The  
558 physician must know the minimum standards and certify that the  
559 licensee satisfactorily meets the standards. The standards for  
560 licensees shall include a drug test.

561 Section 14. Effective October 1, 2018, paragraph (b) of  
562 subsection (3) of section 310.081, Florida Statutes, is amended



176038

563 to read:

564 310.081 Department to examine and license state pilots and  
565 certificate deputy pilots; vacancies.—

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

568 (b) Are in good physical and mental health as evidenced by  
569 documentary proof of having satisfactorily passed a physical  
570 examination administered by a licensed physician or physician  
571 assistant within each calendar year. The board shall adopt rules  
572 to establish requirements for passing the physical examination,  
573 which rules shall establish minimum standards for the physical  
574 or mental capabilities necessary to carry out the professional  
575 duties of a licensed state pilot or a certificated deputy pilot.  
576 Such standards shall include zero tolerance for any controlled  
577 substance regulated under chapter 893 unless that individual is  
578 under the care of a physician, an advanced practice registered  
579 nurse ~~advanced registered nurse practitioner~~, or a physician  
580 assistant and that controlled substance was prescribed by that  
581 physician, advanced practice registered nurse ~~advanced~~  
582 ~~registered nurse practitioner~~, or physician assistant. To  
583 maintain eligibility as a certificated deputy pilot or licensed  
584 state pilot, each certificated deputy pilot or licensed state  
585 pilot must annually provide documentary proof of having  
586 satisfactorily passed a complete physical examination  
587 administered by a licensed physician. The physician must know  
588 the minimum standards and certify that the certificateholder or  
589 licensee satisfactorily meets the standards. The standards for  
590 certificateholders and for licensees shall include a drug test.

591



176038

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

596 Section 15. Effective October 1, 2018, paragraph (b) of  
597 subsection (1) of section 320.0848, Florida Statutes, is amended  
598 to read:

599 320.0848 Persons who have disabilities; issuance of  
600 disabled parking permits; temporary permits; permits for certain  
601 providers of transportation services to persons who have  
602 disabilities.-

603 (1)

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

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

615 b. The need to permanently use a wheelchair.

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



176038

621 d. Use of portable oxygen.

622 e. Restriction by cardiac condition to the extent that the  
623 person's functional limitations are classified in severity as  
624 Class III or Class IV according to standards set by the American  
625 Heart Association.

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

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

641 Section 16. Effective October 1, 2018, paragraph (c) of  
642 subsection (1) of section 381.00315, Florida Statutes, is  
643 amended to read:

644 381.00315 Public health advisories; public health  
645 emergencies; isolation and quarantines.—The State Health Officer  
646 is responsible for declaring public health emergencies, issuing  
647 public health advisories, and ordering isolation or quarantines.

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

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



176038

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

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

677       2. Notwithstanding chapters 465 and 499 and rules adopted  
678 thereunder, directing pharmacists employed by the department to





176038

679 compound bulk prescription drugs and provide these bulk  
680 prescription drugs to physicians and nurses of county health  
681 departments or any qualified person authorized by the State  
682 Health Officer for administration to persons as part of a  
683 prophylactic or treatment regimen.

684 3. Notwithstanding s. 456.036, temporarily reactivating the  
685 inactive license of the following health care practitioners,  
686 when such practitioners are needed to respond to the public  
687 health emergency: physicians licensed under chapter 458 or  
688 chapter 459; physician assistants licensed under chapter 458 or  
689 chapter 459; licensed practical nurses, registered nurses, and  
690 advanced practice registered nurses ~~advanced registered nurse~~  
691 ~~practitioners~~ licensed under part I of chapter 464; respiratory  
692 therapists licensed under part V of chapter 468; and emergency  
693 medical technicians and paramedics certified under part III of  
694 chapter 401. Only those health care practitioners specified in  
695 this paragraph who possess an unencumbered inactive license and  
696 who request that such license be reactivated are eligible for  
697 reactivation. An inactive license that is reactivated under this  
698 paragraph shall return to inactive status when the public health  
699 emergency ends or before the end of the public health emergency  
700 if the State Health Officer determines that the health care  
701 practitioner is no longer needed to provide services during the  
702 public health emergency. Such licenses may only be reactivated  
703 for a period not to exceed 90 days without meeting the  
704 requirements of s. 456.036 or chapter 401, as applicable.

705 4. Ordering an individual to be examined, tested,  
706 vaccinated, treated, isolated, or quarantined for communicable  
707 diseases that have significant morbidity or mortality and



708 present a severe danger to public health. Individuals who are  
709 unable or unwilling to be examined, tested, vaccinated, or  
710 treated for reasons of health, religion, or conscience may be  
711 subjected to isolation or quarantine.

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

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

720  
721 Any order of the State Health Officer given to effectuate this  
722 paragraph shall be immediately enforceable by a law enforcement  
723 officer under s. 381.0012.

724 Section 17. Effective October 1, 2018, subsection (3) of  
725 section 381.00593, Florida Statutes, is amended to read:

726 381.00593 Public school volunteer health care practitioner  
727 program.—

728 (3) For purposes of this section, the term "health care  
729 practitioner" means a physician licensed under chapter 458; an  
730 osteopathic physician licensed under chapter 459; a chiropractic  
731 physician licensed under chapter 460; a podiatric physician  
732 licensed under chapter 461; an optometrist licensed under  
733 chapter 463; an advanced practice registered nurse ~~advanced~~  
734 ~~registered nurse practitioner~~, registered nurse, or licensed  
735 practical nurse licensed under part I of chapter 464; a  
736 pharmacist licensed under chapter 465; a dentist or dental



737 hygienist licensed under chapter 466; a midwife licensed under  
738 chapter 467; a speech-language pathologist or audiologist  
739 licensed under part I of chapter 468; a dietitian/nutritionist  
740 licensed under part X of chapter 468; or a physical therapist  
741 licensed under chapter 486.

742 Section 18. Effective October 1, 2018, paragraph (c) of  
743 subsection (1) of section 383.14, Florida Statutes, is amended  
744 to read:

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

747 (1) SCREENING REQUIREMENTS.-To help ensure access to the  
748 maternal and child health care system, the Department of Health  
749 shall promote the screening of all newborns born in Florida for  
750 metabolic, hereditary, and congenital disorders known to result  
751 in significant impairment of health or intellect, as screening  
752 programs accepted by current medical practice become available  
753 and practical in the judgment of the department. The department  
754 shall also promote the identification and screening of all  
755 newborns in this state and their families for environmental risk  
756 factors such as low income, poor education, maternal and family  
757 stress, emotional instability, substance abuse, and other high-  
758 risk conditions associated with increased risk of infant  
759 mortality and morbidity to provide early intervention,  
760 remediation, and prevention services, including, but not limited  
761 to, parent support and training programs, home visitation, and  
762 case management. Identification, perinatal screening, and  
763 intervention efforts shall begin prior to and immediately  
764 following the birth of the child by the attending health care  
765 provider. Such efforts shall be conducted in hospitals,



766 perinatal centers, county health departments, school health  
767 programs that provide prenatal care, and birthing centers, and  
768 reported to the Office of Vital Statistics.

769 (c) *Release of screening results.*—Notwithstanding any law  
770 to the contrary, the State Public Health Laboratory may release,  
771 directly or through the Children’s Medical Services program, the  
772 results of a newborn’s hearing and metabolic tests or screenings  
773 to the newborn’s health care practitioner, the newborn’s parent  
774 or legal guardian, the newborn’s personal representative, or a  
775 person designated by the newborn’s parent or legal guardian. As  
776 used in this paragraph, the term “health care practitioner”  
777 means a physician or physician assistant licensed under chapter  
778 458; an osteopathic physician or physician assistant licensed  
779 under chapter 459; an advanced practice registered nurse  
780 ~~advanced registered nurse practitioner~~, registered nurse, or  
781 licensed practical nurse licensed under part I of chapter 464; a  
782 midwife licensed under chapter 467; a speech-language  
783 pathologist or audiologist licensed under part I of chapter 468;  
784 or a dietician or nutritionist licensed under part X of chapter  
785 468.

786 Section 19. Effective October 1, 2018, paragraph (c) of  
787 subsection (1) of section 383.141, Florida Statutes, is amended  
788 to read:

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

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

793 (c) “Health care provider” means a practitioner licensed or  
794 registered under chapter 458 or chapter 459 or an advanced



176038

795 practice registered nurse licensed ~~advanced registered nurse~~  
796 ~~practitioner certified~~ under chapter 464.

797 Section 20. Effective October 1, 2018, paragraph (a) of  
798 subsection (7) of section 384.27, Florida Statutes, is amended  
799 to read:

800 384.27 Physical examination and treatment.—

801 (7) (a) A health care practitioner licensed under chapter  
802 458, ~~or~~ chapter 459, ~~or certified under~~ s. 464.012 may provide  
803 expedited partner therapy if the following requirements are met:

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

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

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

811 Section 21. Effective October 1, 2018, paragraph (a) of  
812 subsection (3) of section 390.0111, Florida Statutes, is amended  
813 to read:

814 390.0111 Termination of pregnancies.—

815 (3) CONSENTS REQUIRED.—A termination of pregnancy may not  
816 be performed or induced except with the voluntary and informed  
817 written consent of the pregnant woman or, in the case of a  
818 mental incompetent, the voluntary and informed written consent  
819 of her court-appointed guardian.

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

822 1. The physician who is to perform the procedure, or the  
823 referring physician, has, at a minimum, orally, while physically



176038

824 present in the same room, and at least 24 hours before the  
825 procedure, informed the woman of:

826 a. The nature and risks of undergoing or not undergoing the  
827 proposed procedure that a reasonable patient would consider  
828 material to making a knowing and willful decision of whether to  
829 terminate a pregnancy.

830 b. The probable gestational age of the fetus, verified by  
831 an ultrasound, at the time the termination of pregnancy is to be  
832 performed.

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

838 (II) The person performing the ultrasound must offer the  
839 woman the opportunity to view the live ultrasound images and  
840 hear an explanation of them. If the woman accepts the  
841 opportunity to view the images and hear the explanation, a  
842 physician or a registered nurse, licensed practical nurse,  
843 advanced practice registered nurse ~~advanced registered nurse~~  
844 ~~practitioner~~, or physician assistant working in conjunction with  
845 the physician must contemporaneously review and explain the  
846 images to the woman before the woman gives informed consent to  
847 having an abortion procedure performed.

848 (III) The woman has a right to decline to view and hear the  
849 explanation of the live ultrasound images after she is informed  
850 of her right and offered an opportunity to view the images and  
851 hear the explanation. If the woman declines, the woman shall  
852 complete a form acknowledging that she was offered an



853 opportunity to view and hear the explanation of the images but  
854 that she declined that opportunity. The form must also indicate  
855 that the woman's decision was not based on any undue influence  
856 from any person to discourage her from viewing the images or  
857 hearing the explanation and that she declined of her own free  
858 will.

859 (IV) Unless requested by the woman, the person performing  
860 the ultrasound may not offer the opportunity to view the images  
861 and hear the explanation and the explanation may not be given  
862 if, at the time the woman schedules or arrives for her  
863 appointment to obtain an abortion, a copy of a restraining  
864 order, police report, medical record, or other court order or  
865 documentation is presented which provides evidence that the  
866 woman is obtaining the abortion because the woman is a victim of  
867 rape, incest, domestic violence, or human trafficking or that  
868 the woman has been diagnosed as having a condition that, on the  
869 basis of a physician's good faith clinical judgment, would  
870 create a serious risk of substantial and irreversible impairment  
871 of a major bodily function if the woman delayed terminating her  
872 pregnancy.

873 c. The medical risks to the woman and fetus of carrying the  
874 pregnancy to term.

875  
876 The physician may provide the information required in this  
877 subparagraph within 24 hours before the procedure if requested  
878 by the woman at the time she schedules or arrives for her  
879 appointment to obtain an abortion and if she presents to the  
880 physician a copy of a restraining order, police report, medical  
881 record, or other court order or documentation evidencing that



882 she is obtaining the abortion because she is a victim of rape,  
883 incest, domestic violence, or human trafficking.

884 2. Printed materials prepared and provided by the  
885 department have been provided to the pregnant woman, if she  
886 chooses to view these materials, including:

887 a. A description of the fetus, including a description of  
888 the various stages of development.

889 b. A list of entities that offer alternatives to  
890 terminating the pregnancy.

891 c. Detailed information on the availability of medical  
892 assistance benefits for prenatal care, childbirth, and neonatal  
893 care.

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

897  
898 Nothing in this paragraph is intended to prohibit a physician  
899 from providing any additional information which the physician  
900 deems material to the woman's informed decision to terminate her  
901 pregnancy.

902 Section 22. Effective October 1, 2018, paragraphs (c), (e),  
903 and (f) of subsection (3) of section 390.012, Florida Statutes,  
904 are amended to read:

905 390.012 Powers of agency; rules; disposal of fetal  
906 remains.—

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





176038

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

913 1. The abortion clinic designate a medical director who is  
914 licensed to practice medicine in this state, and all physicians  
915 who perform abortions in the clinic have admitting privileges at  
916 a hospital within reasonable proximity to the clinic, unless the  
917 clinic has a written patient transfer agreement with a hospital  
918 within reasonable proximity to the clinic which includes the  
919 transfer of the patient's medical records held by both the  
920 clinic and the treating physician.

921 2. If a physician is not present after an abortion is  
922 performed, a registered nurse, licensed practical nurse,  
923 advanced practice registered nurse ~~advanced registered nurse~~  
924 ~~practitioner~~, or physician assistant be present and remain at  
925 the clinic to provide postoperative monitoring and care until  
926 the patient is discharged.

927 3. Surgical assistants receive training in counseling,  
928 patient advocacy, and the specific responsibilities associated  
929 with the services the surgical assistants provide.

930 4. Volunteers receive training in the specific  
931 responsibilities associated with the services the volunteers  
932 provide, including counseling and patient advocacy as provided  
933 in the rules adopted by the director for different types of  
934 volunteers based on their responsibilities.

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

937 1. That a physician, registered nurse, licensed practical  
938 nurse, advanced practice registered nurse ~~advanced registered~~  
939 ~~nurse-practitioner~~, or physician assistant is available to all



176038

940 patients throughout the abortion procedure.

941         2. Standards for the safe conduct of abortion procedures  
942 that conform to obstetric standards in keeping with established  
943 standards of care regarding the estimation of fetal age as  
944 defined in rule.

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

947         4. Appropriate precautions, such as the establishment of  
948 intravenous access at least for patients undergoing post-first  
949 trimester abortions.

950         5. Appropriate monitoring of the vital signs and other  
951 defined signs and markers of the patient's status throughout the  
952 abortion procedure and during the recovery period until the  
953 patient's condition is deemed to be stable in the recovery room.

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

956             1. Postprocedure recovery rooms be supervised and staffed  
957 to meet the patients' needs.

958             2. Immediate postprocedure care consist of observation in a  
959 supervised recovery room for as long as the patient's condition  
960 warrants.

961             3. A registered nurse, licensed practical nurse, advanced  
962 practice registered nurse ~~advanced registered nurse~~  
963 ~~practitioner~~, or physician assistant who is trained in the  
964 management of the recovery area and is capable of providing  
965 basic cardiopulmonary resuscitation and related emergency  
966 procedures remain on the premises of the abortion clinic until  
967 all patients are discharged.

968             4. A physician sign the discharge order and be readily



176038

969 accessible and available until the last patient is discharged to  
970 facilitate the transfer of emergency cases if hospitalization of  
971 the patient or viable fetus is necessary.

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

979 6. Written instructions with regard to postabortion coitus,  
980 signs of possible problems, and general aftercare which are  
981 specific to the patient be given to each patient. The  
982 instructions must include information regarding access to  
983 medical care for complications, including a telephone number for  
984 use in the event of a medical emergency.

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

988 8. The physician ensure that, with the patient's consent, a  
989 registered nurse, licensed practical nurse, advanced practice  
990 registered nurse ~~advanced registered nurse practitioner~~, or  
991 physician assistant from the abortion clinic makes a good faith  
992 effort to contact the patient by telephone within 24 hours after  
993 surgery to assess the patient's recovery.

994 9. Equipment and services be readily accessible to provide  
995 appropriate emergency resuscitative and life support procedures  
996 pending the transfer of the patient or viable fetus to the  
997 hospital.



176038

998 Section 23. Effective October 1, 2018, subsections (35) and  
999 (44) of section 394.455, Florida Statutes, are amended to read:

1000 394.455 Definitions.—As used in this part, the term:

1001 (35) "Psychiatric nurse" means an advanced practice  
1002 registered nurse licensed ~~advanced registered nurse practitioner~~  
1003 ~~certified~~ under s. 464.012 who has a master's or doctoral degree  
1004 in psychiatric nursing, holds a national advanced practice  
1005 certification as a psychiatric mental health advanced practice  
1006 nurse, and has 2 years of post-master's clinical experience  
1007 under the supervision of a physician.

1008 (44) "Service provider" means a receiving facility, a  
1009 facility licensed under chapter 397, a treatment facility, an  
1010 entity under contract with the department to provide mental  
1011 health or substance abuse services, a community mental health  
1012 center or clinic, a psychologist, a clinical social worker, a  
1013 marriage and family therapist, a mental health counselor, a  
1014 physician, a psychiatrist, an advanced practice registered nurse  
1015 ~~advanced registered nurse practitioner~~, a psychiatric nurse, or  
1016 a qualified professional as defined in s. 39.01.

1017 Section 24. Effective October 1, 2018, paragraphs (a) and  
1018 (b) of subsection (2) and subsection (4) of section 395.0191,  
1019 Florida Statutes, are amended to read:

1020 395.0191 Staff membership and clinical privileges.—

1021 (2) (a) Each licensed facility shall establish rules and  
1022 procedures for consideration of an application for clinical  
1023 privileges submitted by an advanced practice registered nurse  
1024 ~~advanced registered nurse practitioner~~ licensed and ~~certified~~  
1025 under part I of chapter 464, in accordance with the provisions  
1026 of this section. No licensed facility shall deny such



176038

1027 application solely because the applicant is licensed under part  
1028 I of chapter 464 or because the applicant is not a participant  
1029 in the Florida Birth-Related Neurological Injury Compensation  
1030 Plan.

1031 (b) An advanced practice registered nurse ~~advanced~~  
1032 ~~registered nurse practitioner~~ who is certified as a registered  
1033 nurse anesthetist licensed under part I of chapter 464 shall  
1034 administer anesthesia under the onsite medical direction of a  
1035 professional licensed under chapter 458, chapter 459, or chapter  
1036 466, and in accordance with an established protocol approved by  
1037 the medical staff. The medical direction shall specifically  
1038 address the needs of the individual patient.

1039 (4) Nothing herein shall restrict in any way the authority  
1040 of the medical staff of a licensed facility to review for  
1041 approval or disapproval all applications for appointment and  
1042 reappointment to all categories of staff and to make  
1043 recommendations on each applicant to the governing board,  
1044 including the delineation of privileges to be granted in each  
1045 case. In making such recommendations and in the delineation of  
1046 privileges, each applicant shall be considered individually  
1047 pursuant to criteria for a doctor licensed under chapter 458,  
1048 chapter 459, chapter 461, or chapter 466, or for an advanced  
1049 practice registered nurse ~~advanced registered nurse practitioner~~  
1050 licensed ~~and certified~~ under part I of chapter 464, or for a  
1051 psychologist licensed under chapter 490, as applicable. The  
1052 applicant's eligibility for staff membership or clinical  
1053 privileges shall be determined by the applicant's background,  
1054 experience, health, training, and demonstrated competency; the  
1055 applicant's adherence to applicable professional ethics; the



176038

1056 applicant's reputation; and the applicant's ability to work with  
1057 others and by such other elements as determined by the governing  
1058 board, consistent with this part.

1059 Section 25. Effective October 1, 2018, subsection (34) of  
1060 section 397.311, Florida Statutes, is amended to read:

1061 397.311 Definitions.—As used in this chapter, except part  
1062 VIII, the term:

1063 (34) "Qualified professional" means a physician or a  
1064 physician assistant licensed under chapter 458 or chapter 459; a  
1065 professional licensed under chapter 490 or chapter 491; an  
1066 advanced practice registered nurse ~~advanced registered nurse~~  
1067 ~~practitioner~~ licensed under part I of chapter 464; or a person  
1068 who is certified through a department-recognized certification  
1069 process for substance abuse treatment services and who holds, at  
1070 a minimum, a bachelor's degree. A person who is certified in  
1071 substance abuse treatment services by a state-recognized  
1072 certification process in another state at the time of employment  
1073 with a licensed substance abuse provider in this state may  
1074 perform the functions of a qualified professional as defined in  
1075 this chapter but must meet certification requirements contained  
1076 in this subsection no later than 1 year after his or her date of  
1077 employment.

1078 Section 26. Effective October 1, 2018, section 397.4012,  
1079 Florida Statutes, is amended to read:

1080 397.4012 Exemptions from licensure.—The following are  
1081 exempt from the licensing provisions of this chapter:

1082 (1) A hospital or hospital-based component licensed under  
1083 chapter 395.

1084 (2) A nursing home facility as defined in s. 400.021.



- 1085 (3) A substance abuse education program established  
1086 pursuant to s. 1003.42.
- 1087 (4) A facility or institution operated by the Federal  
1088 Government.
- 1089 (5) A physician or physician assistant licensed under  
1090 chapter 458 or chapter 459.
- 1091 (6) A psychologist licensed under chapter 490.
- 1092 (7) A social worker, marriage and family therapist, or  
1093 mental health counselor licensed under chapter 491.
- 1094 (8) A legally cognizable church or nonprofit religious  
1095 organization or denomination providing substance abuse services,  
1096 including prevention services, which are solely religious,  
1097 spiritual, or ecclesiastical in nature. A church or nonprofit  
1098 religious organization or denomination providing any of the  
1099 licensed service components itemized under s. 397.311(26) is not  
1100 exempt from substance abuse licensure but retains its exemption  
1101 with respect to all services which are solely religious,  
1102 spiritual, or ecclesiastical in nature.
- 1103 (9) Facilities licensed under chapter 393 which, in  
1104 addition to providing services to persons with developmental  
1105 disabilities, also provide services to persons developmentally  
1106 at risk as a consequence of exposure to alcohol or other legal  
1107 or illegal drugs while in utero.
- 1108 (10) DUI education and screening services provided pursuant  
1109 to ss. 316.192, 316.193, 322.095, 322.271, and 322.291. Persons  
1110 or entities providing treatment services must be licensed under  
1111 this chapter unless exempted from licensing as provided in this  
1112 section.
- 1113 (11) A facility licensed under s. 394.875 as a crisis



176038

1114 stabilization unit.

1115  
1116 The exemptions from licensure in this section do not apply to  
1117 any service provider that receives an appropriation, grant, or  
1118 contract from the state to operate as a service provider as  
1119 defined in this chapter or to any substance abuse program  
1120 regulated pursuant to s. 397.4014. Furthermore, this chapter may  
1121 not be construed to limit the practice of a physician or  
1122 physician assistant licensed under chapter 458 or chapter 459, a  
1123 psychologist licensed under chapter 490, a psychotherapist  
1124 licensed under chapter 491, or an advanced practice registered  
1125 nurse ~~advanced registered nurse practitioner~~ licensed under part  
1126 I of chapter 464, who provides substance abuse treatment, so  
1127 long as the physician, physician assistant, psychologist,  
1128 psychotherapist, or advanced practice registered nurse ~~advanced~~  
1129 ~~registered nurse practitioner~~ does not represent to the public  
1130 that he or she is a licensed service provider and does not  
1131 provide services to individuals pursuant to part V of this  
1132 chapter. Failure to comply with any requirement necessary to  
1133 maintain an exempt status under this section is a misdemeanor of  
1134 the first degree, punishable as provided in s. 775.082 or s.  
1135 775.083.

1136 Section 27. Effective October 1, 2018, subsections (4),  
1137 (7), and (8) of section 397.427, Florida Statutes, are amended  
1138 to read:

1139 397.427 Medication-assisted treatment service providers;  
1140 rehabilitation program; needs assessment and provision of  
1141 services; persons authorized to issue takeout medication;  
1142 unlawful operation; penalty.-





176038

1143 (4) Notwithstanding s. 465.019(2), a physician assistant, a  
1144 registered nurse, an advanced practice registered nurse ~~advanced~~  
1145 ~~registered nurse practitioner~~, or a licensed practical nurse  
1146 working for a licensed service provider may deliver takeout  
1147 medication for opiate treatment to persons enrolled in a  
1148 maintenance treatment program for medication-assisted treatment  
1149 for opiate addiction if:

1150 (a) The medication-assisted treatment program for opiate  
1151 addiction has an appropriate valid permit issued pursuant to  
1152 rules adopted by the Board of Pharmacy;

1153 (b) The medication for treatment of opiate addiction has  
1154 been delivered pursuant to a valid prescription written by the  
1155 program's physician licensed pursuant to chapter 458 or chapter  
1156 459;

1157 (c) The medication for treatment of opiate addiction which  
1158 is ordered appears on a formulary and is prepackaged and  
1159 prelabeled with dosage instructions and distributed from a  
1160 source authorized under chapter 499;

1161 (d) Each licensed provider adopts written protocols which  
1162 provide for supervision of the physician assistant, registered  
1163 nurse, advanced practice registered nurse ~~advanced registered~~  
1164 ~~nurse practitioner~~, or licensed practical nurse by a physician  
1165 licensed pursuant to chapter 458 or chapter 459 and for the  
1166 procedures by which patients' medications may be delivered by  
1167 the physician assistant, registered nurse, advanced practice  
1168 registered nurse ~~advanced registered nurse practitioner~~, or  
1169 licensed practical nurse. Such protocols shall be signed by the  
1170 supervising physician and either the administering registered  
1171 nurse, the advanced practice registered nurse ~~advanced~~



176038

1172 ~~registered nurse practitioner~~, or the licensed practical nurse.

1173 (e) Each licensed service provider maintains and has  
1174 available for inspection by representatives of the Board of  
1175 Pharmacy all medical records and patient care protocols,  
1176 including records of medications delivered to patients, in  
1177 accordance with the board.

1178 (7) A physician assistant, a registered nurse, an advanced  
1179 practice registered nurse ~~advanced registered nurse~~  
1180 ~~practitioner~~, or a licensed practical nurse working for a  
1181 licensed service provider may deliver medication as prescribed  
1182 by rule if:

1183 (a) The service provider is authorized to provide  
1184 medication-assisted treatment;

1185 (b) The medication has been administered pursuant to a  
1186 valid prescription written by the program's physician who is  
1187 licensed under chapter 458 or chapter 459; and

1188 (c) The medication ordered appears on a formulary or meets  
1189 federal requirements for medication-assisted treatment.

1190 (8) Each licensed service provider that provides  
1191 medication-assisted treatment must adopt written protocols as  
1192 specified by the department and in accordance with federally  
1193 required rules, regulations, or procedures. The protocol shall  
1194 provide for the supervision of the physician assistant,  
1195 registered nurse, advanced practice registered nurse ~~advanced~~  
1196 ~~registered nurse practitioner~~, or licensed practical nurse  
1197 working under the supervision of a physician who is licensed  
1198 under chapter 458 or chapter 459. The protocol must specify how  
1199 the medication will be used in conjunction with counseling or  
1200 psychosocial treatment and that the services provided will be



176038

1201 included on the treatment plan. The protocol must specify the  
1202 procedures by which medication-assisted treatment may be  
1203 administered by the physician assistant, registered nurse,  
1204 advanced practice registered nurse ~~advanced registered nurse~~  
1205 ~~practitioner~~, or licensed practical nurse. These protocols shall  
1206 be signed by the supervising physician and the administering  
1207 physician assistant, registered nurse, advanced practice  
1208 registered nurse ~~advanced registered nurse practitioner~~, or  
1209 licensed practical nurse.

1210 Section 28. Effective October 1, 2018, section 397.679,  
1211 Florida Statutes, is amended to read:

1212 397.679 Emergency admission; circumstances justifying.—A  
1213 person who meets the criteria for involuntary admission in s.  
1214 397.675 may be admitted to a hospital or to a licensed  
1215 detoxification facility or addictions receiving facility for  
1216 emergency assessment and stabilization, or to a less intensive  
1217 component of a licensed service provider for assessment only,  
1218 upon receipt by the facility of a certificate by a physician, an  
1219 advanced practice registered nurse ~~advanced registered nurse~~  
1220 ~~practitioner~~, a psychiatric nurse, a clinical psychologist, a  
1221 clinical social worker, a marriage and family therapist, a  
1222 mental health counselor, a physician assistant working under the  
1223 scope of practice of the supervising physician, or a master's-  
1224 level-certified addictions professional for substance abuse  
1225 services, if the certificate is specific to substance abuse  
1226 impairment, and the completion of an application for emergency  
1227 admission.

1228 Section 29. Effective October 1, 2018, subsection (1) of  
1229 section 397.6793, Florida Statutes, is amended to read:



1230           397.6793 Professional's certificate for emergency  
1231 admission.—

1232           (1) A physician, a clinical psychologist, a physician  
1233 assistant working under the scope of practice of the supervising  
1234 physician, a psychiatric nurse, an advanced practice registered  
1235 nurse ~~advanced registered nurse practitioner~~, a mental health  
1236 counselor, a marriage and family therapist, a master's-level-  
1237 certified addictions professional for substance abuse services,  
1238 or a clinical social worker may execute a professional's  
1239 certificate for emergency admission. The professional's  
1240 certificate must include the name of the person to be admitted,  
1241 the relationship between the person and the professional  
1242 executing the certificate, the relationship between the  
1243 applicant and the professional, any relationship between the  
1244 professional and the licensed service provider, a statement that  
1245 the person has been examined and assessed within the preceding 5  
1246 days after the application date, and factual allegations with  
1247 respect to the need for emergency admission, including:

1248           (a) The reason for the belief that the person is substance  
1249 abuse impaired;

1250           (b) The reason for the belief that because of such  
1251 impairment the person has lost the power of self-control with  
1252 respect to substance abuse; and

1253           (c)1. The reason for the belief that, without care or  
1254 treatment, the person is likely to suffer from neglect or refuse  
1255 to care for himself or herself; that such neglect or refusal  
1256 poses a real and present threat of substantial harm to his or  
1257 her well-being; and that it is not apparent that such harm may  
1258 be avoided through the help of willing family members or friends



176038

1259 or the provision of other services, or there is substantial  
1260 likelihood that the person has inflicted or, unless admitted, is  
1261 likely to inflict, physical harm on himself, herself, or  
1262 another; or

1263         2. The reason for the belief that the person's refusal to  
1264 voluntarily receive care is based on judgment so impaired by  
1265 reason of substance abuse that the person is incapable of  
1266 appreciating his or her need for care and of making a rational  
1267 decision regarding his or her need for care.

1268         Section 30. Effective October 1, 2018, subsection (8) of  
1269 section 400.021, Florida Statutes, is amended to read:

1270         400.021 Definitions.—When used in this part, unless the  
1271 context otherwise requires, the term:

1272         (8) "Geriatric outpatient clinic" means a site for  
1273 providing outpatient health care to persons 60 years of age or  
1274 older, which is staffed by a registered nurse, a physician  
1275 assistant, or a licensed practical nurse under the direct  
1276 supervision of a registered nurse, advanced practice registered  
1277 nurse ~~advanced registered nurse practitioner~~, physician  
1278 assistant, or physician.

1279         Section 31. Effective October 1, 2018, subsection (3) of  
1280 section 400.462, Florida Statutes, is amended to read:

1281         400.462 Definitions.—As used in this part, the term:

1282         (3) "Advanced practice registered nurse" ~~"Advanced~~  
1283 ~~registered nurse practitioner"~~ means a person licensed in this  
1284 state to practice professional nursing and certified in advanced  
1285 or specialized nursing practice, as defined in s. 464.003.

1286         Section 32. Effective October 1, 2018, section 400.487,  
1287 Florida Statutes, is amended to read:



1288 400.487 Home health service agreements; physician's,  
1289 physician assistant's, and advanced practice registered nurse's  
1290 ~~advanced registered nurse practitioner's~~ treatment orders;  
1291 patient assessment; establishment and review of plan of care;  
1292 provision of services; orders not to resuscitate.-

1293 (1) Services provided by a home health agency must be  
1294 covered by an agreement between the home health agency and the  
1295 patient or the patient's legal representative specifying the  
1296 home health services to be provided, the rates or charges for  
1297 services paid with private funds, and the sources of payment,  
1298 which may include Medicare, Medicaid, private insurance,  
1299 personal funds, or a combination thereof. A home health agency  
1300 providing skilled care must make an assessment of the patient's  
1301 needs within 48 hours after the start of services.

1302 (2) When required by the provisions of chapter 464; part I,  
1303 part III, or part V of chapter 468; or chapter 486, the  
1304 attending physician, physician assistant, or advanced practice  
1305 registered nurse ~~advanced registered nurse practitioner~~, acting  
1306 within his or her respective scope of practice, shall establish  
1307 treatment orders for a patient who is to receive skilled care.  
1308 The treatment orders must be signed by the physician, physician  
1309 assistant, or advanced practice registered nurse ~~advanced~~  
1310 ~~registered nurse practitioner~~ before a claim for payment for the  
1311 skilled services is submitted by the home health agency. If the  
1312 claim is submitted to a managed care organization, the treatment  
1313 orders must be signed within the time allowed under the provider  
1314 agreement. The treatment orders shall be reviewed, as frequently  
1315 as the patient's illness requires, by the physician, physician  
1316 assistant, or advanced practice registered nurse ~~advanced~~



1317 ~~registered nurse practitioner~~ in consultation with the home  
1318 health agency.

1319 (3) A home health agency shall arrange for supervisory  
1320 visits by a registered nurse to the home of a patient receiving  
1321 home health aide services in accordance with the patient's  
1322 direction, approval, and agreement to pay the charge for the  
1323 visits.

1324 (4) Each patient has the right to be informed of and to  
1325 participate in the planning of his or her care. Each patient  
1326 must be provided, upon request, a copy of the plan of care  
1327 established and maintained for that patient by the home health  
1328 agency.

1329 (5) When nursing services are ordered, the home health  
1330 agency to which a patient has been admitted for care must  
1331 provide the initial admission visit, all service evaluation  
1332 visits, and the discharge visit by a direct employee. Services  
1333 provided by others under contractual arrangements to a home  
1334 health agency must be monitored and managed by the admitting  
1335 home health agency. The admitting home health agency is fully  
1336 responsible for ensuring that all care provided through its  
1337 employees or contract staff is delivered in accordance with this  
1338 part and applicable rules.

1339 (6) The skilled care services provided by a home health  
1340 agency, directly or under contract, must be supervised and  
1341 coordinated in accordance with the plan of care.

1342 (7) Home health agency personnel may withhold or withdraw  
1343 cardiopulmonary resuscitation if presented with an order not to  
1344 resuscitate executed pursuant to s. 401.45. The agency shall  
1345 adopt rules providing for the implementation of such orders.



176038

1346 Home health personnel and agencies shall not be subject to  
1347 criminal prosecution or civil liability, nor be considered to  
1348 have engaged in negligent or unprofessional conduct, for  
1349 withholding or withdrawing cardiopulmonary resuscitation  
1350 pursuant to such an order and rules adopted by the agency.

1351 Section 33. Effective October 1, 2018, paragraph (a) of  
1352 subsection (13) of section 400.506, Florida Statutes, is amended  
1353 to read:

1354 400.506 Licensure of nurse registries; requirements;  
1355 penalties.—

1356 (13) All persons referred for contract in private  
1357 residences by a nurse registry must comply with the following  
1358 requirements for a plan of treatment:

1359 (a) When, in accordance with the privileges and  
1360 restrictions imposed upon a nurse under part I of chapter 464,  
1361 the delivery of care to a patient is under the direction or  
1362 supervision of a physician or when a physician is responsible  
1363 for the medical care of the patient, a medical plan of treatment  
1364 must be established for each patient receiving care or treatment  
1365 provided by a licensed nurse in the home. The original medical  
1366 plan of treatment must be timely signed by the physician,  
1367 physician assistant, or advanced practice registered nurse  
1368 ~~advanced registered nurse practitioner~~, acting within his or her  
1369 respective scope of practice, and reviewed in consultation with  
1370 the licensed nurse at least every 2 months. Any additional order  
1371 or change in orders must be obtained from the physician,  
1372 physician assistant, or advanced practice registered nurse  
1373 ~~advanced registered nurse practitioner~~ and reduced to writing  
1374 and timely signed by the physician, physician assistant, or





176038

1375 advanced practice registered nurse ~~advanced registered nurse~~  
1376 ~~practitioner~~. The delivery of care under a medical plan of  
1377 treatment must be substantiated by the appropriate nursing notes  
1378 or documentation made by the nurse in compliance with nursing  
1379 practices established under part I of chapter 464.

1380 Section 34. Effective October 1, 2018, subsections (5) and  
1381 (7) of section 400.9973, Florida Statutes, are amended to read:

1382 400.9973 Client admission, transfer, and discharge.—

1383 (5) A client admitted to a transitional living facility  
1384 must be admitted upon prescription by a licensed physician,  
1385 physician assistant, or advanced practice registered nurse  
1386 ~~advanced registered nurse practitioner~~ and must remain under the  
1387 care of a licensed physician, physician assistant, or advanced  
1388 practice registered nurse ~~advanced registered nurse practitioner~~  
1389 for the duration of the client's stay in the facility.

1390 (7) A person may not be admitted to a transitional living  
1391 facility if the person:

1392 (a) Presents significant risk of infection to other clients  
1393 or personnel. A health care practitioner must provide  
1394 documentation that the person is free of apparent signs and  
1395 symptoms of communicable disease;

1396 (b) Is a danger to himself or herself or others as  
1397 determined by a physician, physician assistant, advanced  
1398 practice registered nurse, ~~or advanced registered nurse~~  
1399 ~~practitioner~~ or a mental health practitioner licensed under  
1400 chapter 490 or chapter 491, unless the facility provides  
1401 adequate staffing and support to ensure patient safety;

1402 (c) Is bedridden; or

1403 (d) Requires 24-hour nursing supervision.



1404 Section 35. Effective October 1, 2018, subsection (1) and  
1405 paragraphs (a) and (b) of subsection (2) of section 400.9974,  
1406 Florida Statutes, are amended to read:

1407 400.9974 Client comprehensive treatment plans; client  
1408 services.-

1409 (1) A transitional living facility shall develop a  
1410 comprehensive treatment plan for each client as soon as  
1411 practicable but no later than 30 days after the initial  
1412 comprehensive treatment plan is developed. The comprehensive  
1413 treatment plan must be developed by an interdisciplinary team  
1414 consisting of the case manager, the program director, the  
1415 advanced practice registered nurse ~~advanced registered nurse~~  
1416 ~~practitioner~~, and appropriate therapists. The client or, if  
1417 appropriate, the client's representative must be included in  
1418 developing the comprehensive treatment plan. The comprehensive  
1419 treatment plan must be reviewed and updated if the client fails  
1420 to meet projected improvements outlined in the plan or if a  
1421 significant change in the client's condition occurs. The  
1422 comprehensive treatment plan must be reviewed and updated at  
1423 least once monthly.

1424 (2) The comprehensive treatment plan must include:

1425 (a) Orders obtained from the physician, physician  
1426 assistant, or advanced practice registered nurse ~~advanced~~  
1427 ~~registered nurse practitioner~~ and the client's diagnosis,  
1428 medical history, physical examination, and rehabilitative or  
1429 restorative needs.

1430 (b) A preliminary nursing evaluation, including orders for  
1431 immediate care provided by the physician, physician assistant,  
1432 or advanced practice registered nurse ~~advanced registered nurse~~



176038

1433 ~~practitioner~~, which shall be completed when the client is  
1434 admitted.

1435 Section 36. Effective October 1, 2018, section 400.9976,  
1436 Florida Statutes, is amended to read:

1437 400.9976 Administration of medication.—

1438 (1) An individual medication administration record must be  
1439 maintained for each client. A dose of medication, including a  
1440 self-administered dose, shall be properly recorded in the  
1441 client's record. A client who self-administers medication shall  
1442 be given a pill organizer. Medication must be placed in the pill  
1443 organizer by a nurse. A nurse shall document the date and time  
1444 that medication is placed into each client's pill organizer. All  
1445 medications must be administered in compliance with orders of a  
1446 physician, physician assistant, or advanced practice registered  
1447 nurse ~~advanced registered nurse practitioner~~.

1448 (2) If an interdisciplinary team determines that self-  
1449 administration of medication is an appropriate objective, and if  
1450 the physician, physician assistant, or advanced practice  
1451 registered nurse ~~advanced registered nurse practitioner~~ does not  
1452 specify otherwise, the client must be instructed by the  
1453 physician, physician assistant, or advanced practice registered  
1454 nurse ~~advanced registered nurse practitioner~~ to self-administer  
1455 his or her medication without the assistance of a staff person.  
1456 All forms of self-administration of medication, including  
1457 administration orally, by injection, and by suppository, shall  
1458 be included in the training. The client's physician, physician  
1459 assistant, or advanced practice registered nurse ~~advanced~~  
1460 ~~registered nurse practitioner~~ must be informed of the  
1461 interdisciplinary team's decision that self-administration of



176038

1462 medication is an objective for the client. A client may not  
1463 self-administer medication until he or she demonstrates the  
1464 competency to take the correct medication in the correct dosage  
1465 at the correct time, to respond to missed doses, and to contact  
1466 the appropriate person with questions.

1467 (3) Medication administration discrepancies and adverse  
1468 drug reactions must be recorded and reported immediately to a  
1469 physician, physician assistant, or advanced practice registered  
1470 nurse ~~advanced registered nurse practitioner~~.

1471 Section 37. Effective October 1, 2018, subsections (2)  
1472 through (5) of section 400.9979, Florida Statutes, are amended  
1473 to read:

1474 400.9979 Restraint and seclusion; client safety.—

1475 (2) The use of physical restraints must be ordered and  
1476 documented by a physician, physician assistant, or advanced  
1477 practice registered nurse ~~advanced registered nurse practitioner~~  
1478 and must be consistent with the policies and procedures adopted  
1479 by the facility. The client or, if applicable, the client's  
1480 representative shall be informed of the facility's physical  
1481 restraint policies and procedures when the client is admitted.

1482 (3) The use of chemical restraints shall be limited to  
1483 prescribed dosages of medications as ordered by a physician,  
1484 physician assistant, or advanced practice registered nurse  
1485 ~~advanced registered nurse practitioner~~ and must be consistent  
1486 with the client's diagnosis and the policies and procedures  
1487 adopted by the facility. The client and, if applicable, the  
1488 client's representative shall be informed of the facility's  
1489 chemical restraint policies and procedures when the client is  
1490 admitted.



176038

1491           (4) Based on the assessment by a physician, physician  
1492 assistant, or advanced practice registered nurse ~~advanced~~  
1493 ~~registered nurse practitioner~~, if a client exhibits symptoms  
1494 that present an immediate risk of injury or death to himself or  
1495 herself or others, a physician, physician assistant, or advanced  
1496 practice registered nurse ~~advanced registered nurse practitioner~~  
1497 may issue an emergency treatment order to immediately administer  
1498 rapid-response psychotropic medications or other chemical  
1499 restraints. Each emergency treatment order must be documented  
1500 and maintained in the client's record.

1501           (a) An emergency treatment order is not effective for more  
1502 than 24 hours.

1503           (b) Whenever a client is medicated under this subsection,  
1504 the client's representative or a responsible party and the  
1505 client's physician, physician assistant, or advanced practice  
1506 registered nurse ~~advanced registered nurse practitioner~~ shall be  
1507 notified as soon as practicable.

1508           (5) A client who is prescribed and receives a medication  
1509 that can serve as a chemical restraint for a purpose other than  
1510 an emergency treatment order must be evaluated by his or her  
1511 physician, physician assistant, or advanced practice registered  
1512 nurse ~~advanced registered nurse practitioner~~ at least monthly to  
1513 assess:

1514           (a) The continued need for the medication.

1515           (b) The level of the medication in the client's blood.

1516           (c) The need for adjustments to the prescription.

1517           Section 38. Effective October 1, 2018, subsections (1) and  
1518 (2) of section 401.445, Florida Statutes, are amended to read:

1519           401.445 Emergency examination and treatment of



176038

1520 incapacitated persons.-

1521 (1) No recovery shall be allowed in any court in this state  
1522 against any emergency medical technician, paramedic, or  
1523 physician as defined in this chapter, any advanced practice  
1524 registered nurse licensed ~~advanced registered nurse practitioner~~  
1525 ~~certified~~ under s. 464.012, or any physician assistant licensed  
1526 under s. 458.347 or s. 459.022, or any person acting under the  
1527 direct medical supervision of a physician, in an action brought  
1528 for examining or treating a patient without his or her informed  
1529 consent if:

1530 (a) The patient at the time of examination or treatment is  
1531 intoxicated, under the influence of drugs, or otherwise  
1532 incapable of providing informed consent as provided in s.  
1533 766.103;

1534 (b) The patient at the time of examination or treatment is  
1535 experiencing an emergency medical condition; and

1536 (c) The patient would reasonably, under all the surrounding  
1537 circumstances, undergo such examination, treatment, or procedure  
1538 if he or she were advised by the emergency medical technician,  
1539 paramedic, physician, advanced practice registered nurse  
1540 ~~advanced registered nurse practitioner~~, or physician assistant  
1541 in accordance with s. 766.103(3).

1542  
1543 Examination and treatment provided under this subsection shall  
1544 be limited to reasonable examination of the patient to determine  
1545 the medical condition of the patient and treatment reasonably  
1546 necessary to alleviate the emergency medical condition or to  
1547 stabilize the patient.

1548 (2) In examining and treating a person who is apparently



176038

1549 intoxicated, under the influence of drugs, or otherwise  
1550 incapable of providing informed consent, the emergency medical  
1551 technician, paramedic, physician, advanced practice registered  
1552 nurse ~~advanced registered nurse practitioner~~, or physician  
1553 assistant, or any person acting under the direct medical  
1554 supervision of a physician, shall proceed wherever possible with  
1555 the consent of the person. If the person reasonably appears to  
1556 be incapacitated and refuses his or her consent, the person may  
1557 be examined, treated, or taken to a hospital or other  
1558 appropriate treatment resource if he or she is in need of  
1559 emergency attention, without his or her consent, but  
1560 unreasonable force shall not be used.

1561 Section 39. Effective October 1, 2018, subsection (1) of  
1562 section 409.905, Florida Statutes, is amended to read:

1563 409.905 Mandatory Medicaid services.—The agency may make  
1564 payments for the following services, which are required of the  
1565 state by Title XIX of the Social Security Act, furnished by  
1566 Medicaid providers to recipients who are determined to be  
1567 eligible on the dates on which the services were provided. Any  
1568 service under this section shall be provided only when medically  
1569 necessary and in accordance with state and federal law.  
1570 Mandatory services rendered by providers in mobile units to  
1571 Medicaid recipients may be restricted by the agency. Nothing in  
1572 this section shall be construed to prevent or limit the agency  
1573 from adjusting fees, reimbursement rates, lengths of stay,  
1574 number of visits, number of services, or any other adjustments  
1575 necessary to comply with the availability of moneys and any  
1576 limitations or directions provided for in the General  
1577 Appropriations Act or chapter 216.



1578           (1) ADVANCED PRACTICE REGISTERED NURSE ~~ADVANCED REGISTERED~~  
1579 ~~NURSE PRACTITIONER~~ SERVICES.—The agency shall pay for services  
1580 provided to a recipient by a licensed advanced practice  
1581 registered nurse ~~advanced registered nurse practitioner~~ who has  
1582 a valid collaboration agreement with a licensed physician on  
1583 file with the Department of Health or who provides anesthesia  
1584 services in accordance with established protocol required by  
1585 state law and approved by the medical staff of the facility in  
1586 which the anesthetic service is performed. Reimbursement for  
1587 such services must be provided in an amount that equals not less  
1588 than 80 percent of the reimbursement to a physician who provides  
1589 the same services, unless otherwise provided for in the General  
1590 Appropriations Act.

1591           Section 40. Effective October 1, 2018, paragraph (a) of  
1592 subsection (3) and subsection (7) of section 409.908, Florida  
1593 Statutes, are amended to read:

1594           409.908 Reimbursement of Medicaid providers.—Subject to  
1595 specific appropriations, the agency shall reimburse Medicaid  
1596 providers, in accordance with state and federal law, according  
1597 to methodologies set forth in the rules of the agency and in  
1598 policy manuals and handbooks incorporated by reference therein.  
1599 These methodologies may include fee schedules, reimbursement  
1600 methods based on cost reporting, negotiated fees, competitive  
1601 bidding pursuant to s. 287.057, and other mechanisms the agency  
1602 considers efficient and effective for purchasing services or  
1603 goods on behalf of recipients. If a provider is reimbursed based  
1604 on cost reporting and submits a cost report late and that cost  
1605 report would have been used to set a lower reimbursement rate  
1606 for a rate semester, then the provider's rate for that semester





1607 shall be retroactively calculated using the new cost report, and  
1608 full payment at the recalculated rate shall be effected  
1609 retroactively. Medicare-granted extensions for filing cost  
1610 reports, if applicable, shall also apply to Medicaid cost  
1611 reports. Payment for Medicaid compensable services made on  
1612 behalf of Medicaid eligible persons is subject to the  
1613 availability of moneys and any limitations or directions  
1614 provided for in the General Appropriations Act or chapter 216.  
1615 Further, nothing in this section shall be construed to prevent  
1616 or limit the agency from adjusting fees, reimbursement rates,  
1617 lengths of stay, number of visits, or number of services, or  
1618 making any other adjustments necessary to comply with the  
1619 availability of moneys and any limitations or directions  
1620 provided for in the General Appropriations Act, provided the  
1621 adjustment is consistent with legislative intent.

1622 (3) Subject to any limitations or directions provided for  
1623 in the General Appropriations Act, the following Medicaid  
1624 services and goods may be reimbursed on a fee-for-service basis.  
1625 For each allowable service or goods furnished in accordance with  
1626 Medicaid rules, policy manuals, handbooks, and state and federal  
1627 law, the payment shall be the amount billed by the provider, the  
1628 provider's usual and customary charge, or the maximum allowable  
1629 fee established by the agency, whichever amount is less, with  
1630 the exception of those services or goods for which the agency  
1631 makes payment using a methodology based on capitation rates,  
1632 average costs, or negotiated fees.

1633 (a) Advanced practice registered nurse ~~Advanced registered~~  
1634 ~~nurse practitioner~~ services.

1635 (7) A provider of family planning services shall be



176038

1636 reimbursed the lesser of the amount billed by the provider or an  
1637 all-inclusive amount per type of visit for physicians and  
1638 advanced practice registered nurses ~~advanced registered nurse~~  
1639 ~~practitioners~~, as established by the agency in a fee schedule.

1640 Section 41. Effective October 1, 2018, paragraph (a) of  
1641 subsection (1) of section 409.973, Florida Statutes, is amended  
1642 to read:

1643 409.973 Benefits.—

1644 (1) MINIMUM BENEFITS.—Managed care plans shall cover, at a  
1645 minimum, the following services:

1646 (a) Advanced practice registered nurse ~~Advanced registered~~  
1647 ~~nurse practitioner~~ services.

1648 Section 42. Effective March 1, 2019, subsection (1) of  
1649 section 409.973, Florida Statutes, as amended by section 1 of  
1650 chapter 2016-109, Laws of Florida, is amended to read:

1651 409.973 Benefits.—

1652 (1) MINIMUM BENEFITS.—Managed care plans shall cover, at a  
1653 minimum, the following services:

1654 (a) Advanced practice registered nurse ~~Advanced registered~~  
1655 ~~nurse practitioner~~ services.

1656 (b) Ambulatory surgical treatment center services.

1657 (c) Birthing center services.

1658 (d) Chiropractic services.

1659 (e) Early periodic screening diagnosis and treatment  
1660 services for recipients under age 21.

1661 (f) Emergency services.

1662 (g) Family planning services and supplies. Pursuant to 42  
1663 C.F.R. s. 438.102, plans may elect to not provide these services  
1664 due to an objection on moral or religious grounds, and must



176038

1665 notify the agency of that election when submitting a reply to an  
1666 invitation to negotiate.

1667 (h) Healthy start services, except as provided in s.  
1668 409.975(4).

1669 (i) Hearing services.

1670 (j) Home health agency services.

1671 (k) Hospice services.

1672 (l) Hospital inpatient services.

1673 (m) Hospital outpatient services.

1674 (n) Laboratory and imaging services.

1675 (o) Medical supplies, equipment, prostheses, and orthoses.

1676 (p) Mental health services.

1677 (q) Nursing care.

1678 (r) Optical services and supplies.

1679 (s) Optometrist services.

1680 (t) Physical, occupational, respiratory, and speech therapy  
1681 services.

1682 (u) Physician services, including physician assistant  
1683 services.

1684 (v) Podiatric services.

1685 (w) Prescription drugs.

1686 (x) Renal dialysis services.

1687 (y) Respiratory equipment and supplies.

1688 (z) Rural health clinic services.

1689 (aa) Substance abuse treatment services.

1690 (bb) Transportation to access covered services.

1691 Section 43. Effective October 1, 2018, paragraph (a) of  
1692 subsection (2) and paragraph (a) of subsection (7) of section  
1693 429.918, Florida Statutes, are amended to read:



176038

1694 429.918 Licensure designation as a specialized Alzheimer's  
1695 services adult day care center.—

1696 (2) As used in this section, the term:

1697 (a) "ADRD participant" means a participant who has a  
1698 documented diagnosis of Alzheimer's disease or a dementia-  
1699 related disorder (ADRD) from a licensed physician, licensed  
1700 physician assistant, or a licensed advanced practice registered  
1701 nurse ~~advanced registered nurse practitioner~~.

1702 (7) (a) An ADRD participant admitted to an adult day care  
1703 center having a license designated under this section, or the  
1704 caregiver when applicable, must:

1705 1. Require ongoing supervision to maintain the highest  
1706 level of medical or custodial functioning and have a  
1707 demonstrated need for a responsible party to oversee his or her  
1708 care.

1709 2. Not actively demonstrate aggressive behavior that places  
1710 himself, herself, or others at risk of harm.

1711 3. Provide the following medical documentation signed by a  
1712 licensed physician, licensed physician assistant, or a licensed  
1713 advanced practice registered nurse ~~advanced registered nurse~~  
1714 ~~practitioner~~:

1715 a. Any physical, health, or emotional conditions that  
1716 require medical care.

1717 b. A listing of the ADRD participant's current prescribed  
1718 and over-the-counter medications and dosages, diet restrictions,  
1719 mobility restrictions, and other physical limitations.

1720 4. Provide documentation signed by a health care provider  
1721 licensed in this state which indicates that the ADRD participant  
1722 is free of the communicable form of tuberculosis and free of



176038

1723 signs and symptoms of other communicable diseases.

1724 Section 44. Effective October 1, 2018, section 456.0391,  
1725 Florida Statutes, is amended to read:

1726 456.0391 Advanced practice registered nurses ~~Advanced~~  
1727 ~~registered nurse practitioners~~; information required for  
1728 licensure certification.—

1729 (1) (a) Each person who applies for initial licensure  
1730 ~~certification~~ under s. 464.012 must, at the time of application,  
1731 and each person licensed ~~certified~~ under s. 464.012 who applies  
1732 for licensure certification renewal must, in conjunction with  
1733 the renewal of such licensure certification and under procedures  
1734 adopted by the Department of Health, and in addition to any  
1735 other information that may be required from the applicant,  
1736 furnish the following information to the Department of Health:

1737 1. The name of each school or training program that the  
1738 applicant has attended, with the months and years of attendance  
1739 and the month and year of graduation, and a description of all  
1740 graduate professional education completed by the applicant,  
1741 excluding any coursework taken to satisfy continuing education  
1742 requirements.

1743 2. The name of each location at which the applicant  
1744 practices.

1745 3. The address at which the applicant will primarily  
1746 conduct his or her practice.

1747 4. Any certification or designation that the applicant has  
1748 received from a specialty or certification board that is  
1749 recognized or approved by the regulatory board or department to  
1750 which the applicant is applying.

1751 5. The year that the applicant received initial



176038

1752 certification or licensure and began practicing the profession  
1753 in any jurisdiction and the year that the applicant received  
1754 initial certification or licensure in this state.

1755 6. Any appointment which the applicant currently holds to  
1756 the faculty of a school related to the profession and an  
1757 indication as to whether the applicant has had the  
1758 responsibility for graduate education within the most recent 10  
1759 years.

1760 7. A description of any criminal offense of which the  
1761 applicant has been found guilty, regardless of whether  
1762 adjudication of guilt was withheld, or to which the applicant  
1763 has pled guilty or nolo contendere. A criminal offense committed  
1764 in another jurisdiction which would have been a felony or  
1765 misdemeanor if committed in this state must be reported. If the  
1766 applicant indicates that a criminal offense is under appeal and  
1767 submits a copy of the notice for appeal of that criminal  
1768 offense, the department must state that the criminal offense is  
1769 under appeal if the criminal offense is reported in the  
1770 applicant's profile. If the applicant indicates to the  
1771 department that a criminal offense is under appeal, the  
1772 applicant must, within 15 days after the disposition of the  
1773 appeal, submit to the department a copy of the final written  
1774 order of disposition.

1775 8. A description of any final disciplinary action taken  
1776 within the previous 10 years against the applicant by a  
1777 licensing or regulatory body in any jurisdiction, by a specialty  
1778 board that is recognized by the board or department, or by a  
1779 licensed hospital, health maintenance organization, prepaid  
1780 health clinic, ambulatory surgical center, or nursing home.



176038

1781 Disciplinary action includes resignation from or nonrenewal of  
1782 staff membership or the restriction of privileges at a licensed  
1783 hospital, health maintenance organization, prepaid health  
1784 clinic, ambulatory surgical center, or nursing home taken in  
1785 lieu of or in settlement of a pending disciplinary case related  
1786 to competence or character. If the applicant indicates that the  
1787 disciplinary action is under appeal and submits a copy of the  
1788 document initiating an appeal of the disciplinary action, the  
1789 department must state that the disciplinary action is under  
1790 appeal if the disciplinary action is reported in the applicant's  
1791 profile.

1792 (b) In addition to the information required under paragraph  
1793 (a), each applicant for initial licensure ~~certification~~ or  
1794 licensure ~~certification~~ renewal must provide the information  
1795 required of licensees pursuant to s. 456.049.

1796 (2) The Department of Health shall send a notice to each  
1797 person licensed ~~certified~~ under s. 464.012 at the licensee's  
1798 ~~certificatcholder's~~ last known address of record regarding the  
1799 requirements for information to be submitted by advanced  
1800 practice registered nurses ~~advanced registered nurse~~  
1801 ~~practitioners~~ pursuant to this section in conjunction with the  
1802 renewal of such license ~~certificate~~.

1803 (3) Each person licensed ~~certified~~ under s. 464.012 who has  
1804 submitted information pursuant to subsection (1) must update  
1805 that information in writing by notifying the Department of  
1806 Health within 45 days after the occurrence of an event or the  
1807 attainment of a status that is required to be reported by  
1808 subsection (1). Failure to comply with the requirements of this  
1809 subsection to update and submit information constitutes a ground



176038

1810 for disciplinary action under chapter 464 and s. 456.072(1)(k).  
1811 For failure to comply with the requirements of this subsection  
1812 to update and submit information, the department or board, as  
1813 appropriate, may:

1814 (a) Refuse to issue a license ~~certificate~~ to any person  
1815 applying for initial licensure ~~certification~~ who fails to submit  
1816 and update the required information.

1817 (b) Issue a citation to any certificateholder or licensee  
1818 who fails to submit and update the required information and may  
1819 fine the certificateholder or licensee up to \$50 for each day  
1820 that the certificateholder or licensee is not in compliance with  
1821 this subsection. The citation must clearly state that the  
1822 certificateholder or licensee may choose, in lieu of accepting  
1823 the citation, to follow the procedure under s. 456.073. If the  
1824 certificateholder or licensee disputes the matter in the  
1825 citation, the procedures set forth in s. 456.073 must be  
1826 followed. However, if the certificateholder or licensee does not  
1827 dispute the matter in the citation with the department within 30  
1828 days after the citation is served, the citation becomes a final  
1829 order and constitutes discipline. Service of a citation may be  
1830 made by personal service or certified mail, restricted delivery,  
1831 to the subject at the certificateholder's or licensee's last  
1832 known address.

1833 (4) (a) An applicant for initial licensure ~~certification~~  
1834 under s. 464.012 must submit a set of fingerprints to the  
1835 Department of Health on a form and under procedures specified by  
1836 the department, along with payment in an amount equal to the  
1837 costs incurred by the Department of Health for a national  
1838 criminal history check of the applicant.





176038

1839           (b) An applicant for renewed licensure ~~certification~~ who  
1840 has not previously submitted a set of fingerprints to the  
1841 Department of Health for purposes of certification must submit a  
1842 set of fingerprints to the department as a condition of the  
1843 initial renewal of his or her certificate after the effective  
1844 date of this section. The applicant must submit the fingerprints  
1845 on a form and under procedures specified by the department,  
1846 along with payment in an amount equal to the costs incurred by  
1847 the Department of Health for a national criminal history check.  
1848 For subsequent renewals, the applicant for renewed licensure  
1849 ~~certification~~ must only submit information necessary to conduct  
1850 a statewide criminal history check, along with payment in an  
1851 amount equal to the costs incurred by the Department of Health  
1852 for a statewide criminal history check.

1853           (c)1. The Department of Health shall submit the  
1854 fingerprints provided by an applicant for initial licensure  
1855 ~~certification~~ to the Florida Department of Law Enforcement for a  
1856 statewide criminal history check, and the Florida Department of  
1857 Law Enforcement shall forward the fingerprints to the Federal  
1858 Bureau of Investigation for a national criminal history check of  
1859 the applicant.

1860           2. The department shall submit the fingerprints provided by  
1861 an applicant for the initial renewal of licensure ~~certification~~  
1862 to the Florida Department of Law Enforcement for a statewide  
1863 criminal history check, and the Florida Department of Law  
1864 Enforcement shall forward the fingerprints to the Federal Bureau  
1865 of Investigation for a national criminal history check for the  
1866 initial renewal of the applicant's certificate after the  
1867 effective date of this section.



176038

1868           3. For any subsequent renewal of the applicant's  
1869 certificate, the department shall submit the required  
1870 information for a statewide criminal history check of the  
1871 applicant to the Florida Department of Law Enforcement.

1872           (d) Any applicant for initial licensure ~~certification~~ or  
1873 renewal of licensure ~~certification~~ as an advanced practice  
1874 registered nurse ~~advanced registered nurse practitioner~~ who  
1875 submits to the Department of Health a set of fingerprints and  
1876 information required for the criminal history check required  
1877 under this section shall not be required to provide a subsequent  
1878 set of fingerprints or other duplicate information required for  
1879 a criminal history check to the Agency for Health Care  
1880 Administration, the Department of Juvenile Justice, or the  
1881 Department of Children and Families for employment or licensure  
1882 with such agency or department, if the applicant has undergone a  
1883 criminal history check as a condition of initial licensure  
1884 ~~certification~~ or renewal of licensure ~~certification~~ as an  
1885 advanced practice registered nurse ~~advanced registered nurse~~  
1886 ~~practitioner~~ with the Department of Health, notwithstanding any  
1887 other provision of law to the contrary. In lieu of such  
1888 duplicate submission, the Agency for Health Care Administration,  
1889 the Department of Juvenile Justice, and the Department of  
1890 Children and Families shall obtain criminal history information  
1891 for employment or licensure of persons licensed ~~certified~~ under  
1892 s. 464.012 by such agency or department from the Department of  
1893 Health's health care practitioner credentialing system.

1894           (5) Each person who is required to submit information  
1895 pursuant to this section may submit additional information to  
1896 the Department of Health. Such information may include, but is



1897 not limited to:

1898 (a) Information regarding publications in peer-reviewed  
1899 professional literature within the previous 10 years.

1900 (b) Information regarding professional or community service  
1901 activities or awards.

1902 (c) Languages, other than English, used by the applicant to  
1903 communicate with patients or clients and identification of any  
1904 translating service that may be available at the place where the  
1905 applicant primarily conducts his or her practice.

1906 (d) An indication of whether the person participates in the  
1907 Medicaid program.

1908 Section 45. Effective October 1, 2018, subsection (2) of  
1909 section 456.0392, Florida Statutes, is amended to read:

1910 456.0392 Prescription labeling.—

1911 (2) A prescription for a drug that is not listed as a  
1912 controlled substance in chapter 893 which is written by an  
1913 advanced practice registered nurse licensed ~~advanced registered~~  
1914 ~~nurse practitioner certified~~ under s. 464.012 is presumed,  
1915 subject to rebuttal, to be valid and within the parameters of  
1916 the prescriptive authority delegated by a practitioner licensed  
1917 under chapter 458, chapter 459, or chapter 466.

1918 Section 46. Effective October 1, 2018, paragraph (a) of  
1919 subsection (1) and subsection (6) of section 456.041, Florida  
1920 Statutes, are amended to read:

1921 456.041 Practitioner profile; creation.—

1922 (1) (a) The Department of Health shall compile the  
1923 information submitted pursuant to s. 456.039 into a practitioner  
1924 profile of the applicant submitting the information, except that  
1925 the Department of Health shall develop a format to compile



176038

1926 uniformly any information submitted under s. 456.039(4)(b).  
1927 Beginning July 1, 2001, the Department of Health may compile the  
1928 information submitted pursuant to s. 456.0391 into a  
1929 practitioner profile of the applicant submitting the  
1930 information. The protocol submitted pursuant to s. 464.012(3)  
1931 must be included in the practitioner profile of the advanced  
1932 practice registered nurse ~~advanced registered nurse~~  
1933 ~~practitioner~~.

1934 (6) The Department of Health shall provide in each  
1935 practitioner profile for every physician or advanced practice  
1936 registered nurse ~~advanced registered nurse practitioner~~  
1937 terminated for cause from participating in the Medicaid program,  
1938 pursuant to s. 409.913, or sanctioned by the Medicaid program a  
1939 statement that the practitioner has been terminated from  
1940 participating in the Florida Medicaid program or sanctioned by  
1941 the Medicaid program.

1942 Section 47. Effective October 1, 2018, subsection (1) of  
1943 section 456.048, Florida Statutes, is amended to read:

1944 456.048 Financial responsibility requirements for certain  
1945 health care practitioners.—

1946 (1) As a prerequisite for licensure or license renewal, the  
1947 Board of Acupuncture, the Board of Chiropractic Medicine, the  
1948 Board of Podiatric Medicine, and the Board of Dentistry shall,  
1949 by rule, require that all health care practitioners licensed  
1950 under the respective board, and the Board of Medicine and the  
1951 Board of Osteopathic Medicine shall, by rule, require that all  
1952 anesthesiologist assistants licensed pursuant to s. 458.3475 or  
1953 s. 459.023, and the Board of Nursing shall, by rule, require  
1954 that advanced practice registered nurses licensed ~~advanced~~



176038

1955 ~~registered nurse practitioners certified~~ under s. 464.012, and  
1956 the department shall, by rule, require that midwives maintain  
1957 medical malpractice insurance or provide proof of financial  
1958 responsibility in an amount and in a manner determined by the  
1959 board or department to be sufficient to cover claims arising out  
1960 of the rendering of or failure to render professional care and  
1961 services in this state.

1962 Section 48. Effective October 1, 2018, subsection (7) of  
1963 section 456.072, Florida Statutes, is amended to read:

1964 456.072 Grounds for discipline; penalties; enforcement.—

1965 (7) Notwithstanding subsection (2), upon a finding that a  
1966 physician has prescribed or dispensed a controlled substance, or  
1967 caused a controlled substance to be prescribed or dispensed, in  
1968 a manner that violates the standard of practice set forth in s.  
1969 458.331(1)(q) or (t), s. 459.015(1)(t) or (x), s. 461.013(1)(o)  
1970 or (s), or s. 466.028(1)(p) or (x), or that an advanced practice  
1971 registered nurse ~~advanced registered nurse practitioner~~ has  
1972 prescribed or dispensed a controlled substance, or caused a  
1973 controlled substance to be prescribed or dispensed, in a manner  
1974 that violates the standard of practice set forth in s.  
1975 464.018(1)(n) or (p)6., the physician or advanced practice  
1976 registered nurse ~~advanced registered nurse practitioner~~ shall be  
1977 suspended for a period of not less than 6 months and pay a fine  
1978 of not less than \$10,000 per count. Repeated violations shall  
1979 result in increased penalties.

1980 Section 49. Effective October 1, 2018, paragraph (g) of  
1981 subsection (1) and subsection (2) of section 456.44, Florida  
1982 Statutes, are amended to read:

1983 456.44 Controlled substance prescribing.—



176038

1984 (1) DEFINITIONS.—As used in this section, the term:  
1985 (g) “Registrant” means a physician, a physician assistant,  
1986 or an advanced practice registered nurse ~~advanced registered~~  
1987 ~~nurse practitioner~~ who meets the requirements of subsection (2).  
1988 (2) REGISTRATION.—A physician licensed under chapter 458,  
1989 chapter 459, chapter 461, or chapter 466, a physician assistant  
1990 licensed under chapter 458 or chapter 459, or an advanced  
1991 practice registered nurse licensed ~~advanced registered nurse~~  
1992 ~~practitioner certified~~ under part I of chapter 464 who  
1993 prescribes any controlled substance, listed in Schedule II,  
1994 Schedule III, or Schedule IV as defined in s. 893.03, for the  
1995 treatment of chronic nonmalignant pain, must:  
1996 (a) Designate himself or herself as a controlled substance  
1997 prescribing practitioner on his or her practitioner profile.  
1998 (b) Comply with the requirements of this section and  
1999 applicable board rules.  
2000 Section 50. Effective October 1, 2018, paragraph (c) of  
2001 subsection (2) of section 458.3265, Florida Statutes, is amended  
2002 to read:  
2003 458.3265 Pain-management clinics.—  
2004 (2) PHYSICIAN RESPONSIBILITIES.—These responsibilities  
2005 apply to any physician who provides professional services in a  
2006 pain-management clinic that is required to be registered in  
2007 subsection (1).  
2008 (c) A physician, a physician assistant, or an advanced  
2009 practice registered nurse ~~advanced registered nurse practitioner~~  
2010 must perform a physical examination of a patient on the same day  
2011 that the physician prescribes a controlled substance to a  
2012 patient at a pain-management clinic. If the physician prescribes



176038

2013 more than a 72-hour dose of controlled substances for the  
2014 treatment of chronic nonmalignant pain, the physician must  
2015 document in the patient's record the reason for prescribing that  
2016 quantity.

2017 Section 51. Effective October 1, 2018, paragraph (dd) of  
2018 subsection (1) of section 458.331, Florida Statutes, is amended  
2019 to read:

2020 458.331 Grounds for disciplinary action; action by the  
2021 board and department.—

2022 (1) The following acts constitute grounds for denial of a  
2023 license or disciplinary action, as specified in s. 456.072(2):

2024 (dd) Failing to supervise adequately the activities of  
2025 those physician assistants, paramedics, emergency medical  
2026 technicians, advanced practice registered nurses ~~advanced~~  
2027 ~~registered nurse practitioners~~, or anesthesiologist assistants  
2028 acting under the supervision of the physician.

2029 Section 52. Effective October 1, 2018, paragraph (a) of  
2030 subsection (1) and subsection (3) of section 458.348, Florida  
2031 Statutes, are amended to read:

2032 458.348 Formal supervisory relationships, standing orders,  
2033 and established protocols; notice; standards.—

2034 (1) NOTICE.—

2035 (a) When a physician enters into a formal supervisory  
2036 relationship or standing orders with an emergency medical  
2037 technician or paramedic licensed pursuant to s. 401.27, which  
2038 relationship or orders contemplate the performance of medical  
2039 acts, or when a physician enters into an established protocol  
2040 with an advanced practice registered nurse ~~advanced registered~~  
2041 ~~nurse practitioner~~, which protocol contemplates the performance



2042 of medical acts set forth in s. 464.012(3) and (4), the  
2043 physician shall submit notice to the board. The notice shall  
2044 contain a statement in substantially the following form:

2045  
2046 I, ...(name and professional license number of  
2047 physician)..., of ...(address of physician)... have hereby  
2048 entered into a formal supervisory relationship, standing orders,  
2049 or an established protocol with ...(number of persons)...  
2050 emergency medical technician(s), ...(number of persons)...  
2051 paramedic(s), or ...(number of persons)... advanced practice  
2052 registered nurse(s) ~~advanced registered nurse practitioner(s)~~.

2053  
2054 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—A  
2055 physician who supervises an advanced practice registered nurse  
2056 ~~advanced registered nurse practitioner~~ or physician assistant at  
2057 a medical office other than the physician's primary practice  
2058 location, where the advanced practice registered nurse ~~advanced~~  
2059 ~~registered nurse practitioner~~ or physician assistant is not  
2060 under the onsite supervision of a supervising physician, must  
2061 comply with the standards set forth in this subsection. For the  
2062 purpose of this subsection, a physician's "primary practice  
2063 location" means the address reflected on the physician's profile  
2064 published pursuant to s. 456.041.

2065 (a) A physician who is engaged in providing primary health  
2066 care services may not supervise more than four offices in  
2067 addition to the physician's primary practice location. For the  
2068 purpose of this subsection, "primary health care" means health  
2069 care services that are commonly provided to patients without  
2070 referral from another practitioner, including obstetrical and





176038

2071 gynecological services, and excludes practices providing  
2072 primarily dermatologic and skin care services, which include  
2073 aesthetic skin care services.

2074 (b) A physician who is engaged in providing specialty  
2075 health care services may not supervise more than two offices in  
2076 addition to the physician's primary practice location. For the  
2077 purpose of this subsection, "specialty health care" means health  
2078 care services that are commonly provided to patients with a  
2079 referral from another practitioner and excludes practices  
2080 providing primarily dermatologic and skin care services, which  
2081 include aesthetic skin care services.

2082 (c) A physician who supervises an advanced practice  
2083 registered nurse ~~advanced registered nurse practitioner~~ or  
2084 physician assistant at a medical office other than the  
2085 physician's primary practice location, where the advanced  
2086 practice registered nurse ~~advanced registered nurse practitioner~~  
2087 or physician assistant is not under the onsite supervision of a  
2088 supervising physician and the services offered at the office are  
2089 primarily dermatologic or skin care services, which include  
2090 aesthetic skin care services other than plastic surgery, must  
2091 comply with the standards listed in subparagraphs 1.-4.  
2092 Notwithstanding s. 458.347(4)(e)6., a physician supervising a  
2093 physician assistant pursuant to this paragraph may not be  
2094 required to review and cosign charts or medical records prepared  
2095 by such physician assistant.

2096 1. The physician shall submit to the board the addresses of  
2097 all offices where he or she is supervising an advanced practice  
2098 registered nurse ~~advanced registered nurse practitioner~~ or a  
2099 physician's assistant which are not the physician's primary



176038

2100 practice location.

2101           2. The physician must be board certified or board eligible  
2102 in dermatology or plastic surgery as recognized by the board  
2103 pursuant to s. 458.3312.

2104           3. All such offices that are not the physician's primary  
2105 place of practice must be within 25 miles of the physician's  
2106 primary place of practice or in a county that is contiguous to  
2107 the county of the physician's primary place of practice.  
2108 However, the distance between any of the offices may not exceed  
2109 75 miles.

2110           4. The physician may supervise only one office other than  
2111 the physician's primary place of practice except that until July  
2112 1, 2011, the physician may supervise up to two medical offices  
2113 other than the physician's primary place of practice if the  
2114 addresses of the offices are submitted to the board before July  
2115 1, 2006. Effective July 1, 2011, the physician may supervise  
2116 only one office other than the physician's primary place of  
2117 practice, regardless of when the addresses of the offices were  
2118 submitted to the board.

2119           (d) A physician who supervises an office in addition to the  
2120 physician's primary practice location must conspicuously post in  
2121 each of the physician's offices a current schedule of the  
2122 regular hours when the physician is present in that office and  
2123 the hours when the office is open while the physician is not  
2124 present.

2125           (e) This subsection does not apply to health care services  
2126 provided in facilities licensed under chapter 395 or in  
2127 conjunction with a college of medicine, a college of nursing, an  
2128 accredited graduate medical program, or a nursing education



176038

2129 program; not-for-profit, family-planning clinics that are not  
2130 licensed pursuant to chapter 390; rural and federally qualified  
2131 health centers; health care services provided in a nursing home  
2132 licensed under part II of chapter 400, an assisted living  
2133 facility licensed under part I of chapter 429, a continuing care  
2134 facility licensed under chapter 651, or a retirement community  
2135 consisting of independent living units and a licensed nursing  
2136 home or assisted living facility; anesthesia services provided  
2137 in accordance with law; health care services provided in a  
2138 designated rural health clinic; health care services provided to  
2139 persons enrolled in a program designed to maintain elderly  
2140 persons and persons with disabilities in a home or community-  
2141 based setting; university primary care student health centers;  
2142 school health clinics; or health care services provided in  
2143 federal, state, or local government facilities. Subsection (2)  
2144 and this subsection do not apply to offices at which the  
2145 exclusive service being performed is laser hair removal by an  
2146 advanced practice registered nurse ~~advanced registered nurse~~  
2147 ~~practitioner~~ or physician assistant.

2148 Section 53. Effective October 1, 2018, paragraph (c) of  
2149 subsection (2) of section 459.0137, Florida Statutes, is amended  
2150 to read:

2151 459.0137 Pain-management clinics.—

2152 (2) PHYSICIAN RESPONSIBILITIES.—These responsibilities  
2153 apply to any osteopathic physician who provides professional  
2154 services in a pain-management clinic that is required to be  
2155 registered in subsection (1).

2156 (c) An osteopathic physician, a physician assistant, or an  
2157 advanced practice registered nurse ~~advanced registered nurse~~



176038

2158 ~~practitioner~~ must perform a physical examination of a patient on  
2159 the same day that the physician prescribes a controlled  
2160 substance to a patient at a pain-management clinic. If the  
2161 osteopathic physician prescribes more than a 72-hour dose of  
2162 controlled substances for the treatment of chronic nonmalignant  
2163 pain, the osteopathic physician must document in the patient's  
2164 record the reason for prescribing that quantity.

2165 Section 54. Effective October 1, 2018, paragraph (hh) of  
2166 subsection (1) of section 459.015, Florida Statutes, is amended  
2167 to read:

2168 459.015 Grounds for disciplinary action; action by the  
2169 board and department.—

2170 (1) The following acts constitute grounds for denial of a  
2171 license or disciplinary action, as specified in s. 456.072(2):

2172 (hh) Failing to supervise adequately the activities of  
2173 those physician assistants, paramedics, emergency medical  
2174 technicians, advanced practice registered nurses ~~advanced~~  
2175 ~~registered nurse practitioners~~, anesthesiologist assistants, or  
2176 other persons acting under the supervision of the osteopathic  
2177 physician.

2178 Section 55. Effective October 1, 2018, paragraph (a) of  
2179 subsection (1) and subsection (3) of section 459.025, Florida  
2180 Statutes, are amended to read:

2181 459.025 Formal supervisory relationships, standing orders,  
2182 and established protocols; notice; standards.—

2183 (1) NOTICE.—

2184 (a) When an osteopathic physician enters into a formal  
2185 supervisory relationship or standing orders with an emergency  
2186 medical technician or paramedic licensed pursuant to s. 401.27,



176038

2187 which relationship or orders contemplate the performance of  
2188 medical acts, or when an osteopathic physician enters into an  
2189 established protocol with an advanced practice registered nurse  
2190 ~~advanced registered nurse practitioner~~, which protocol  
2191 contemplates the performance of medical acts or acts set forth  
2192 in s. 464.012(3) and (4), the osteopathic physician shall submit  
2193 notice to the board. The notice must contain a statement in  
2194 substantially the following form:

2195  
2196 I, ...(name and professional license number of osteopathic  
2197 physician)..., of ...(address of osteopathic physician)... have  
2198 hereby entered into a formal supervisory relationship, standing  
2199 orders, or an established protocol with ...(number of  
2200 persons)... emergency medical technician(s), ...(number of  
2201 persons)... paramedic(s), or ...(number of persons)... advanced  
2202 practice registered nurse(s) ~~advanced registered nurse~~  
2203 ~~practitioner(s)~~.

2204 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.-  
2205 An osteopathic physician who supervises an advanced practice  
2206 registered nurse ~~advanced registered nurse practitioner~~ or  
2207 physician assistant at a medical office other than the  
2208 osteopathic physician's primary practice location, where the  
2209 advanced practice registered nurse ~~advanced registered nurse~~  
2210 ~~practitioner~~ or physician assistant is not under the onsite  
2211 supervision of a supervising osteopathic physician, must comply  
2212 with the standards set forth in this subsection. For the purpose  
2213 of this subsection, an osteopathic physician's "primary practice  
2214 location" means the address reflected on the physician's profile  
2215 published pursuant to s. 456.041.



176038

2216 (a) An osteopathic physician who is engaged in providing  
2217 primary health care services may not supervise more than four  
2218 offices in addition to the osteopathic physician's primary  
2219 practice location. For the purpose of this subsection, "primary  
2220 health care" means health care services that are commonly  
2221 provided to patients without referral from another practitioner,  
2222 including obstetrical and gynecological services, and excludes  
2223 practices providing primarily dermatologic and skin care  
2224 services, which include aesthetic skin care services.

2225 (b) An osteopathic physician who is engaged in providing  
2226 specialty health care services may not supervise more than two  
2227 offices in addition to the osteopathic physician's primary  
2228 practice location. For the purpose of this subsection,  
2229 "specialty health care" means health care services that are  
2230 commonly provided to patients with a referral from another  
2231 practitioner and excludes practices providing primarily  
2232 dermatologic and skin care services, which include aesthetic  
2233 skin care services.

2234 (c) An osteopathic physician who supervises an advanced  
2235 practice registered nurse ~~advanced registered nurse practitioner~~  
2236 or physician assistant at a medical office other than the  
2237 osteopathic physician's primary practice location, where the  
2238 advanced practice registered nurse ~~advanced registered nurse~~  
2239 ~~practitioner~~ or physician assistant is not under the onsite  
2240 supervision of a supervising osteopathic physician and the  
2241 services offered at the office are primarily dermatologic or  
2242 skin care services, which include aesthetic skin care services  
2243 other than plastic surgery, must comply with the standards  
2244 listed in subparagraphs 1.-4. Notwithstanding s.



176038

2245 459.022(4)(e)6., an osteopathic physician supervising a  
2246 physician assistant pursuant to this paragraph may not be  
2247 required to review and cosign charts or medical records prepared  
2248 by such physician assistant.

2249 1. The osteopathic physician shall submit to the Board of  
2250 Osteopathic Medicine the addresses of all offices where he or  
2251 she is supervising or has a protocol with an advanced practice  
2252 registered nurse ~~advanced registered nurse practitioner~~ or a  
2253 physician ~~physician's~~ assistant which are not the osteopathic  
2254 physician's primary practice location.

2255 2. The osteopathic physician must be board certified or  
2256 board eligible in dermatology or plastic surgery as recognized  
2257 by the Board of Osteopathic Medicine pursuant to s. 459.0152.

2258 3. All such offices that are not the osteopathic  
2259 physician's primary place of practice must be within 25 miles of  
2260 the osteopathic physician's primary place of practice or in a  
2261 county that is contiguous to the county of the osteopathic  
2262 physician's primary place of practice. However, the distance  
2263 between any of the offices may not exceed 75 miles.

2264 4. The osteopathic physician may supervise only one office  
2265 other than the osteopathic physician's primary place of practice  
2266 except that until July 1, 2011, the osteopathic physician may  
2267 supervise up to two medical offices other than the osteopathic  
2268 physician's primary place of practice if the addresses of the  
2269 offices are submitted to the Board of Osteopathic Medicine  
2270 before July 1, 2006. Effective July 1, 2011, the osteopathic  
2271 physician may supervise only one office other than the  
2272 osteopathic physician's primary place of practice, regardless of  
2273 when the addresses of the offices were submitted to the Board of



176038

2274 Osteopathic Medicine.

2275 (d) An osteopathic physician who supervises an office in  
2276 addition to the osteopathic physician's primary practice  
2277 location must conspicuously post in each of the osteopathic  
2278 physician's offices a current schedule of the regular hours when  
2279 the osteopathic physician is present in that office and the  
2280 hours when the office is open while the osteopathic physician is  
2281 not present.

2282 (e) This subsection does not apply to health care services  
2283 provided in facilities licensed under chapter 395 or in  
2284 conjunction with a college of medicine or college of nursing or  
2285 an accredited graduate medical or nursing education program;  
2286 offices where the only service being performed is hair removal  
2287 by an advanced practice registered nurse ~~advanced registered~~  
2288 ~~nurse-practitioner~~ or physician assistant; not-for-profit,  
2289 family-planning clinics that are not licensed pursuant to  
2290 chapter 390; rural and federally qualified health centers;  
2291 health care services provided in a nursing home licensed under  
2292 part II of chapter 400, an assisted living facility licensed  
2293 under part I of chapter 429, a continuing care facility licensed  
2294 under chapter 651, or a retirement community consisting of  
2295 independent living units and either a licensed nursing home or  
2296 assisted living facility; anesthesia services provided in  
2297 accordance with law; health care services provided in a  
2298 designated rural health clinic; health care services provided to  
2299 persons enrolled in a program designed to maintain elderly  
2300 persons and persons with disabilities in a home or community-  
2301 based setting; university primary care student health centers;  
2302 school health clinics; or health care services provided in





176038

2303 federal, state, or local government facilities.

2304 Section 56. Effective October 1, 2018, subsection (2) of  
2305 section 464.003, Florida Statutes, is amended to read:

2306 464.003 Definitions.—As used in this part, the term:

2307 (2) "Advanced or specialized nursing practice" means, in  
2308 addition to the practice of professional nursing, the  
2309 performance of advanced-level nursing acts approved by the board  
2310 which, by virtue of postbasic specialized education, training,  
2311 and experience, are appropriately performed by an advanced  
2312 practice registered nurse ~~advanced registered nurse~~  
2313 ~~practitioner~~. Within the context of advanced or specialized  
2314 nursing practice, the advanced practice registered nurse  
2315 ~~advanced registered nurse practitioner~~ may perform acts of  
2316 nursing diagnosis and nursing treatment of alterations of the  
2317 health status. The advanced practice registered nurse ~~advanced~~  
2318 ~~registered nurse practitioner~~ may also perform acts of medical  
2319 diagnosis and treatment, prescription, and operation as  
2320 authorized within the framework of an established supervisory  
2321 protocol. The department may, by rule, require that a copy of  
2322 the protocol be filed with the department along with the notice  
2323 required by s. 458.348.

2324 Section 57. Effective October 1, 2018, subsection (2) of  
2325 section 464.004, Florida Statutes, is amended to read:

2326 464.004 Board of Nursing; membership; appointment; terms.—

2327 (2) Seven members of the board must be registered nurses  
2328 who are residents of this state and who have been engaged in the  
2329 practice of professional nursing for at least 4 years, including  
2330 at least one advanced practice registered nurse ~~advanced~~  
2331 ~~registered nurse practitioner~~, one nurse educator member of an



2332 approved program, and one nurse executive. These seven board  
2333 members should be representative of the diverse areas of  
2334 practice within the nursing profession. In addition, three  
2335 members of the board must be licensed practical nurses who are  
2336 residents of this state and who have been actively engaged in  
2337 the practice of practical nursing for at least 4 years prior to  
2338 their appointment. The remaining three members must be residents  
2339 of the state who have never been licensed as nurses and who are  
2340 in no way connected with the practice of nursing. No person may  
2341 be appointed as a lay member who is in any way connected with,  
2342 or has any financial interest in, any health care facility,  
2343 agency, or insurer. At least one member of the board must be 60  
2344 years of age or older.

2345 Section 58. Effective October 1, 2018, paragraph (b) of  
2346 subsection (3) of section 464.013, Florida Statutes, is amended  
2347 to read:

2348 464.013 Renewal of license or certificate.-

2349 (3) The board shall by rule prescribe up to 30 hours of  
2350 continuing education biennially as a condition for renewal of a  
2351 license or certificate.

2352 (b) Notwithstanding the exemption in paragraph (a), as part  
2353 of the maximum 30 hours of continuing education hours required  
2354 under this subsection, advanced practice registered nurses  
2355 licensed ~~advanced registered nurse practitioners certified~~ under  
2356 s. 464.012 must complete at least 3 hours of continuing  
2357 education on the safe and effective prescription of controlled  
2358 substances. Such continuing education courses must be offered by  
2359 a statewide professional association of physicians in this state  
2360 accredited to provide educational activities designated for the



176038

2361 American Medical Association Physician's Recognition Award  
2362 Category 1 credit, the American Nurses Credentialing Center, the  
2363 American Association of Nurse Anesthetists, or the American  
2364 Association of Nurse Practitioners and may be offered in a  
2365 distance learning format.

2366 Section 59. Effective October 1, 2018, subsections (5) and  
2367 (8), of section 464.015, Florida Statutes, are amended to read:

2368 464.015 Titles and abbreviations; restrictions; penalty.—

2369 (5) Only persons who hold valid licenses ~~certificates~~ to  
2370 practice as clinical nurse specialists in this state may use the  
2371 title "Clinical Nurse Specialist" and the abbreviation "C.N.S."

2372 (8) Only persons who hold valid licenses ~~certificates~~ to  
2373 practice as advanced practice registered nurses ~~advanced~~  
2374 ~~registered nurse practitioners~~ in this state may use the title  
2375 "Advanced Practice Registered Nurse" ~~"Advanced Registered Nurse~~  
2376 ~~Practitioner"~~ and the abbreviation "A.P.R.N." ~~"A.R.N.P."~~

2377 Section 60. Effective October 1, 2018, subsection (9) of  
2378 section 464.015, Florida Statutes, as amended by section 9 of  
2379 chapter 2016-139, Laws of Florida, is amended to read:

2380 464.015 Titles and abbreviations; restrictions; penalty.—

2381 (9) A person may not practice or advertise as, or assume  
2382 the title of, registered nurse, licensed practical nurse,  
2383 clinical nurse specialist, certified registered nurse  
2384 anesthetist, certified nurse midwife, certified nurse  
2385 practitioner, or advanced practice registered nurse ~~advanced~~  
2386 ~~registered nurse practitioner~~ or use the abbreviation "R.N.,"  
2387 "L.P.N.," "C.N.S.," "C.R.N.A.," "C.N.M.," "C.N.P.," or  
2388 "A.P.R.N.," ~~"A.R.N.P."~~ or take any other action that would lead  
2389 the public to believe that person was authorized by law to



176038

2390 practice as such or is performing nursing services pursuant to  
2391 the exception set forth in s. 464.022(8), unless that person is  
2392 licensed, certified, or authorized pursuant to s. 464.0095 to  
2393 practice as such.

2394 Section 61. Effective October 1, 2018, paragraph (a) of  
2395 subsection (2) of section 464.016, Florida Statutes, is amended  
2396 to read:

2397 464.016 Violations and penalties.—

2398 (2) Each of the following acts constitutes a misdemeanor of  
2399 the first degree, punishable as provided in s. 775.082 or s.  
2400 775.083:

2401 (a) Using the name or title "Nurse," "Registered Nurse,"  
2402 "Licensed Practical Nurse," "Clinical Nurse Specialist,"  
2403 "Certified Registered Nurse Anesthetist," "Certified Nurse  
2404 Practitioner," "Certified Nurse Midwife," "Advanced Practice  
2405 Registered Nurse," "~~Advanced Registered Nurse Practitioner~~," or  
2406 any other name or title which implies that a person was licensed  
2407 or certified as same, unless such person is duly licensed or  
2408 certified.

2409 Section 62. Effective October 1, 2018, paragraphs (p) and  
2410 (q) of subsection (1) of section 464.018, Florida Statutes, are  
2411 amended to read:

2412 464.018 Disciplinary actions.—

2413 (1) The following acts constitute grounds for denial of a  
2414 license or disciplinary action, as specified in s. 456.072(2):

2415 (p) For an advanced practice registered nurse ~~advanced~~  
2416 ~~registered nurse practitioner~~:

- 2417 1. Presigning blank prescription forms.  
2418 2. Prescribing for office use any medicinal drug appearing



176038

2419 on Schedule II in chapter 893.

2420 3. Prescribing, ordering, dispensing, administering,  
2421 supplying, selling, or giving a drug that is an amphetamine, a  
2422 sympathomimetic amine drug, or a compound designated in s.  
2423 893.03(2) as a Schedule II controlled substance, to or for any  
2424 person except for:

2425 a. The treatment of narcolepsy; hyperkinesis; behavioral  
2426 syndrome in children characterized by the developmentally  
2427 inappropriate symptoms of moderate to severe distractibility,  
2428 short attention span, hyperactivity, emotional lability, and  
2429 impulsivity; or drug-induced brain dysfunction.

2430 b. The differential diagnostic psychiatric evaluation of  
2431 depression or the treatment of depression shown to be refractory  
2432 to other therapeutic modalities.

2433 c. The clinical investigation of the effects of such drugs  
2434 or compounds when an investigative protocol is submitted to,  
2435 reviewed by, and approved by the department before such  
2436 investigation is begun.

2437 4. Prescribing, ordering, dispensing, administering,  
2438 supplying, selling, or giving growth hormones, testosterone or  
2439 its analogs, human chorionic gonadotropin (HCG), or other  
2440 hormones for the purpose of muscle building or to enhance  
2441 athletic performance. As used in this subparagraph, the term  
2442 "muscle building" does not include the treatment of injured  
2443 muscle. A prescription written for the drug products identified  
2444 in this subparagraph may be dispensed by a pharmacist with the  
2445 presumption that the prescription is for legitimate medical use.

2446 5. Promoting or advertising on any prescription form a  
2447 community pharmacy unless the form also states: "This



176038

2448 prescription may be filled at any pharmacy of your choice.”

2449         6. Prescribing, dispensing, administering, mixing, or  
2450 otherwise preparing a legend drug, including a controlled  
2451 substance, other than in the course of his or her professional  
2452 practice. For the purposes of this subparagraph, it is legally  
2453 presumed that prescribing, dispensing, administering, mixing, or  
2454 otherwise preparing legend drugs, including all controlled  
2455 substances, inappropriately or in excessive or inappropriate  
2456 quantities is not in the best interest of the patient and is not  
2457 in the course of the advanced practice registered nurse’s  
2458 ~~advanced registered nurse practitioner’s~~ professional practice,  
2459 without regard to his or her intent.

2460         7. Prescribing, dispensing, or administering a medicinal  
2461 drug appearing on any schedule set forth in chapter 893 to  
2462 himself or herself, except a drug prescribed, dispensed, or  
2463 administered to the advanced practice registered nurse ~~advanced~~  
2464 ~~registered nurse practitioner~~ by another practitioner authorized  
2465 to prescribe, dispense, or administer medicinal drugs.

2466         8. Prescribing, ordering, dispensing, administering,  
2467 supplying, selling, or giving amygdalin (laetrile) to any  
2468 person.

2469         9. Dispensing a substance designated in s. 893.03(2) or (3)  
2470 as a substance controlled in Schedule II or Schedule III,  
2471 respectively, in violation of s. 465.0276.

2472         10. Promoting or advertising through any communication  
2473 medium the use, sale, or dispensing of a substance designated in  
2474 s. 893.03 as a controlled substance.

2475         (q) For a psychiatric nurse:

2476             1. Presigning blank prescription forms.



176038

2477           2. Prescribing for office use any medicinal drug appearing  
2478 in Schedule II of s. 893.03.

2479           3. Prescribing, ordering, dispensing, administering,  
2480 supplying, selling, or giving a drug that is an amphetamine, a  
2481 sympathomimetic amine drug, or a compound designated in s.  
2482 893.03(2) as a Schedule II controlled substance, to or for any  
2483 person except for:

2484           a. The treatment of narcolepsy; hyperkinesis; behavioral  
2485 syndrome in children characterized by the developmentally  
2486 inappropriate symptoms of moderate to severe distractibility,  
2487 short attention span, hyperactivity, emotional lability, and  
2488 impulsivity; or drug-induced brain dysfunction.

2489           b. The differential diagnostic psychiatric evaluation of  
2490 depression or the treatment of depression shown to be refractory  
2491 to other therapeutic modalities.

2492           c. The clinical investigation of the effects of such drugs  
2493 or compounds when an investigative protocol is submitted to,  
2494 reviewed by, and approved by the department before such  
2495 investigation is begun.

2496           4. Prescribing, ordering, dispensing, administering,  
2497 supplying, selling, or giving growth hormones, testosterone or  
2498 its analogs, human chorionic gonadotropin (HCG), or other  
2499 hormones for the purpose of muscle building or to enhance  
2500 athletic performance. As used in this subparagraph, the term  
2501 "muscle building" does not include the treatment of injured  
2502 muscle. A prescription written for the drug products identified  
2503 in this subparagraph may be dispensed by a pharmacist with the  
2504 presumption that the prescription is for legitimate medical use.

2505           5. Promoting or advertising on any prescription form a



176038

2506 community pharmacy unless the form also states: "This  
2507 prescription may be filled at any pharmacy of your choice."

2508 6. Prescribing, dispensing, administering, mixing, or  
2509 otherwise preparing a legend drug, including a controlled  
2510 substance, other than in the course of his or her professional  
2511 practice. For the purposes of this subparagraph, it is legally  
2512 presumed that prescribing, dispensing, administering, mixing, or  
2513 otherwise preparing legend drugs, including all controlled  
2514 substances, inappropriately or in excessive or inappropriate  
2515 quantities is not in the best interest of the patient and is not  
2516 in the course of the advanced practice registered nurse's  
2517 ~~advanced registered nurse practitioner's~~ professional practice,  
2518 without regard to his or her intent.

2519 7. Prescribing, dispensing, or administering a medicinal  
2520 drug appearing on any schedule set forth in chapter 893 to  
2521 himself or herself, except a drug prescribed, dispensed, or  
2522 administered to the psychiatric nurse by another practitioner  
2523 authorized to prescribe, dispense, or administer medicinal  
2524 drugs.

2525 8. Prescribing, ordering, dispensing, administering,  
2526 supplying, selling, or giving amygdalin (laetrile) to any  
2527 person.

2528 9. Dispensing a substance designated in s. 893.03(2) or (3)  
2529 as a substance controlled in Schedule II or Schedule III,  
2530 respectively, in violation of s. 465.0276.

2531 10. Promoting or advertising through any communication  
2532 medium the use, sale, or dispensing of a substance designated in  
2533 s. 893.03 as a controlled substance.

2534 Section 63. Effective October 1, 2018, paragraph (a) of





176038

2535 subsection (4) of section 464.0205, Florida Statutes, is amended  
2536 to read:

2537 464.0205 Retired volunteer nurse certificate.—

2538 (4) A retired volunteer nurse receiving certification from  
2539 the board shall:

2540 (a) Work under the direct supervision of the director of a  
2541 county health department, a physician working under a limited  
2542 license issued pursuant to s. 458.317 or s. 459.0075, a  
2543 physician licensed under chapter 458 or chapter 459, an advanced  
2544 practice registered nurse licensed ~~advanced registered nurse~~  
2545 ~~practitioner certified~~ under s. 464.012, or a registered nurse  
2546 licensed under s. 464.008 or s. 464.009.

2547 Section 64. Effective October 1, 2018, subsection (2) of  
2548 section 467.003, Florida Statutes, is amended to read:

2549 467.003 Definitions.—As used in this chapter, unless the  
2550 context otherwise requires:

2551 (2) "Certified nurse midwife" means a person who is  
2552 licensed as an advanced practice registered nurse ~~advanced~~  
2553 ~~registered nurse practitioner~~ under part I of chapter 464 and  
2554 who is certified to practice midwifery by the American College  
2555 of Nurse Midwives.

2556 Section 65. Effective October 1, 2018, subsection (1) of  
2557 section 480.0475, Florida Statutes, is amended to read:

2558 480.0475 Massage establishments; prohibited practices.—

2559 (1) A person may not operate a massage establishment  
2560 between the hours of midnight and 5 a.m. This subsection does  
2561 not apply to a massage establishment:

2562 (a) Located on the premises of a health care facility as  
2563 defined in s. 408.07; a health care clinic as defined in s.



176038

2564 400.9905(4); a hotel, motel, or bed and breakfast inn, as those  
2565 terms are defined in s. 509.242; a timeshare property as defined  
2566 in s. 721.05; a public airport as defined in s. 330.27; or a  
2567 pari-mutuel facility as defined in s. 550.002;

2568 (b) In which every massage performed between the hours of  
2569 midnight and 5 a.m. is performed by a massage therapist acting  
2570 under the prescription of a physician or physician assistant  
2571 licensed under chapter 458, an osteopathic physician or  
2572 physician assistant licensed under chapter 459, a chiropractic  
2573 physician licensed under chapter 460, a podiatric physician  
2574 licensed under chapter 461, an advanced practice registered  
2575 nurse ~~advanced registered nurse practitioner~~ licensed under part  
2576 I of chapter 464, or a dentist licensed under chapter 466; or

2577 (c) Operating during a special event if the county or  
2578 municipality in which the establishment operates has approved  
2579 such operation during the special event.

2580 Section 66. Effective October 1, 2018, subsection (7) of  
2581 section 483.041, Florida Statutes, is amended to read:

2582 483.041 Definitions.—As used in this part, the term:

2583 (7) "Licensed practitioner" means a physician licensed  
2584 under chapter 458, chapter 459, chapter 460, or chapter 461; a  
2585 certified optometrist licensed under chapter 463; a dentist  
2586 licensed under chapter 466; a person licensed under chapter 462;  
2587 a consultant pharmacist or doctor of pharmacy licensed under  
2588 chapter 465; or an advanced practice registered nurse ~~advanced~~  
2589 ~~registered nurse practitioner~~ licensed under part I of chapter  
2590 464; or a duly licensed practitioner from another state licensed  
2591 under similar statutes who orders examinations on materials or  
2592 specimens for nonresidents of the State of Florida, but who



2593 reside in the same state as the requesting licensed  
2594 practitioner.

2595 Section 67. Effective October 1, 2018, subsection (5) of  
2596 section 483.801, Florida Statutes, is amended to read:

2597 483.801 Exemptions.—This part applies to all clinical  
2598 laboratories and clinical laboratory personnel within this  
2599 state, except:

2600 (5) Advanced practice registered nurses ~~advanced registered~~  
2601 ~~nurse practitioners~~ licensed under part I of chapter 464 who  
2602 perform provider-performed microscopy procedures (PPMP) in an  
2603 exclusive-use laboratory setting.

2604 Section 68. Effective October 1, 2018, paragraph (a) of  
2605 subsection (11) of section 486.021, Florida Statutes, is amended  
2606 to read:

2607 486.021 Definitions.—In this chapter, unless the context  
2608 otherwise requires, the term:

2609 (11) "Practice of physical therapy" means the performance  
2610 of physical therapy assessments and the treatment of any  
2611 disability, injury, disease, or other health condition of human  
2612 beings, or the prevention of such disability, injury, disease,  
2613 or other condition of health, and rehabilitation as related  
2614 thereto by the use of the physical, chemical, and other  
2615 properties of air; electricity; exercise; massage; the  
2616 performance of acupuncture only upon compliance with the  
2617 criteria set forth by the Board of Medicine, when no penetration  
2618 of the skin occurs; the use of radiant energy, including  
2619 ultraviolet, visible, and infrared rays; ultrasound; water; the  
2620 use of apparatus and equipment in the application of the  
2621 foregoing or related thereto; the performance of tests of



2622 neuromuscular functions as an aid to the diagnosis or treatment  
2623 of any human condition; or the performance of electromyography  
2624 as an aid to the diagnosis of any human condition only upon  
2625 compliance with the criteria set forth by the Board of Medicine.

2626 (a) A physical therapist may implement a plan of treatment  
2627 developed by the physical therapist for a patient or provided  
2628 for a patient by a practitioner of record or by an advanced  
2629 practice registered nurse ~~advanced registered nurse practitioner~~  
2630 licensed under s. 464.012. The physical therapist shall refer  
2631 the patient to or consult with a practitioner of record if the  
2632 patient's condition is found to be outside the scope of physical  
2633 therapy. If physical therapy treatment for a patient is required  
2634 beyond 30 days for a condition not previously assessed by a  
2635 practitioner of record, the physical therapist shall have a  
2636 practitioner of record review and sign the plan. The requirement  
2637 that a physical therapist have a practitioner of record review  
2638 and sign a plan of treatment does not apply when a patient has  
2639 been physically examined by a physician licensed in another  
2640 state, the patient has been diagnosed by the physician as having  
2641 a condition for which physical therapy is required, and the  
2642 physical therapist is treating the condition. For purposes of  
2643 this paragraph, a health care practitioner licensed under  
2644 chapter 458, chapter 459, chapter 460, chapter 461, or chapter  
2645 466 and engaged in active practice is eligible to serve as a  
2646 practitioner of record.

2647 Section 69. Effective October 1, 2018, paragraph (d) of  
2648 subsection (1) of section 490.012, Florida Statutes, is amended  
2649 to read:

2650 490.012 Violations; penalties; injunction.-



176038

2651 (1)  
2652 (d) A person may not ~~No person shall~~ hold herself or  
2653 himself out by any title or description incorporating the word,  
2654 or a permutation of the word, "psychotherapy" unless such person  
2655 holds a valid, active license under chapter 458, chapter 459,  
2656 chapter 490, or chapter 491, or such person is licensed  
2657 ~~certified~~ as an advanced practice registered nurse under  
2658 ~~advanced registered nurse practitioner, pursuant to s. 464.012,~~  
2659 who has been determined by the Board of Nursing as a specialist  
2660 in psychiatric mental health.

2661 Section 70. Effective October 1, 2018, subsection (1) of  
2662 section 491.0057, Florida Statutes, is amended to read:

2663 491.0057 Dual licensure as a marriage and family  
2664 therapist.—The department shall license as a marriage and family  
2665 therapist any person who demonstrates to the board that he or  
2666 she:

2667 (1) Holds a valid, active license as a psychologist under  
2668 chapter 490 or as a clinical social worker or mental health  
2669 counselor under this chapter, or is licensed ~~certified~~ under s.  
2670 464.012 as an advanced practice registered nurse ~~advanced~~  
2671 ~~registered nurse practitioner~~ who has been determined by the  
2672 Board of Nursing as a specialist in psychiatric mental health.

2673 Section 71. Effective October 1, 2018, paragraph (d) of  
2674 subsection (1) and subsection (2) of section 491.012, Florida  
2675 Statutes, are amended to read:

2676 491.012 Violations; penalty; injunction.—

2677 (1) It is unlawful and a violation of this chapter for any  
2678 person to:

2679 (d) Use the terms psychotherapist, sex therapist, or



176038

2680 juvenile sexual offender therapist unless such person is  
2681 licensed pursuant to this chapter or chapter 490, or is licensed  
2682 ~~certified~~ under s. 464.012 as an advanced practice registered  
2683 nurse ~~advanced registered nurse practitioner~~ who has been  
2684 determined by the Board of Nursing as a specialist in  
2685 psychiatric mental health and the use of such terms is within  
2686 the scope of her or his practice based on education, training,  
2687 and licensure.

2688 (2) It is unlawful and a violation of this chapter for any  
2689 person to describe her or his services using the following terms  
2690 or any derivative thereof, unless such person holds a valid,  
2691 active license under this chapter or chapter 490, or is licensed  
2692 ~~certified~~ under s. 464.012 as an advanced practice registered  
2693 nurse ~~advanced registered nurse practitioner~~ who has been  
2694 determined by the Board of Nursing as a specialist in  
2695 psychiatric mental health and the use of such terms is within  
2696 the scope of her or his practice based on education, training,  
2697 and licensure:

- 2698 (a) "Psychotherapy."
- 2699 (b) "Sex therapy."
- 2700 (c) "Sex counseling."
- 2701 (d) "Clinical social work."
- 2702 (e) "Psychiatric social work."
- 2703 (f) "Marriage and family therapy."
- 2704 (g) "Marriage and family counseling."
- 2705 (h) "Marriage counseling."
- 2706 (i) "Family counseling."
- 2707 (j) "Mental health counseling."

2708 Section 72. Effective October 1, 2018, subsection (2) of



2709 section 493.6108, Florida Statutes, is amended to read:  
2710       493.6108 Investigation of applicants by Department of  
2711 Agriculture and Consumer Services.—  
2712       (2) In addition to subsection (1), the department shall  
2713 make an investigation of the general physical fitness of the  
2714 Class "G" applicant to bear a weapon or firearm. Determination  
2715 of physical fitness shall be certified by a physician or  
2716 physician assistant currently licensed pursuant to chapter 458,  
2717 chapter 459, or any similar law of another state or authorized  
2718 to act as a licensed physician by a federal agency or department  
2719 or by an advanced practice registered nurse ~~advanced registered~~  
2720 ~~nurse practitioner~~ currently licensed pursuant to chapter 464.  
2721 Such certification shall be submitted on a form provided by the  
2722 department.  
2723       Section 73. Effective October 1, 2018, paragraph (b) of  
2724 subsection (1) of section 627.357, Florida Statutes, is amended  
2725 to read:  
2726       627.357 Medical malpractice self-insurance.—  
2727       (1) DEFINITIONS.—As used in this section, the term:  
2728       (b) "Health care provider" means any:  
2729       1. Hospital licensed under chapter 395.  
2730       2. Physician licensed, or physician assistant licensed,  
2731 under chapter 458.  
2732       3. Osteopathic physician or physician assistant licensed  
2733 under chapter 459.  
2734       4. Podiatric physician licensed under chapter 461.  
2735       5. Health maintenance organization certificated under part  
2736 I of chapter 641.  
2737       6. Ambulatory surgical center licensed under chapter 395.



176038

2738 7. Chiropractic physician licensed under chapter 460.  
2739 8. Psychologist licensed under chapter 490.  
2740 9. Optometrist licensed under chapter 463.  
2741 10. Dentist licensed under chapter 466.  
2742 11. Pharmacist licensed under chapter 465.  
2743 12. Registered nurse, licensed practical nurse, or advanced  
2744 practice registered nurse ~~advanced registered nurse practitioner~~  
2745 licensed or registered under part I of chapter 464.  
2746 13. Other medical facility.  
2747 14. Professional association, partnership, corporation,  
2748 joint venture, or other association established by the  
2749 individuals set forth in subparagraphs 2., 3., 4., 7., 8., 9.,  
2750 10., 11., and 12. for professional activity.  
2751 Section 74. Effective October 1, 2018, subsection (6) of  
2752 section 627.6471, Florida Statutes, is amended to read:  
2753 627.6471 Contracts for reduced rates of payment;  
2754 limitations; coinsurance and deductibles.-  
2755 (6) If psychotherapeutic services are covered by a policy  
2756 issued by the insurer, the insurer shall provide eligibility  
2757 criteria for each group of health care providers licensed under  
2758 chapter 458, chapter 459, chapter 490, or chapter 491, which  
2759 include psychotherapy within the scope of their practice as  
2760 provided by law, or for any person who is licensed ~~certified~~ as  
2761 an advanced practice registered nurse ~~advanced registered nurse~~  
2762 ~~practitioner~~ in psychiatric mental health under s. 464.012. When  
2763 psychotherapeutic services are covered, eligibility criteria  
2764 shall be established by the insurer to be included in the  
2765 insurer's criteria for selection of network providers. The  
2766 insurer may not discriminate against a health care provider by





176038

2767 excluding such practitioner from its provider network solely on  
2768 the basis of the practitioner's license.

2769 Section 75. Effective October 1, 2018, subsections (15) and  
2770 (17) of section 627.6472, Florida Statutes, are amended to read:  
2771 627.6472 Exclusive provider organizations.-

2772 (15) If psychotherapeutic services are covered by a policy  
2773 issued by the insurer, the insurer shall provide eligibility  
2774 criteria for all groups of health care providers licensed under  
2775 chapter 458, chapter 459, chapter 490, or chapter 491, which  
2776 include psychotherapy within the scope of their practice as  
2777 provided by law, or for any person who is licensed ~~certified~~ as  
2778 an advanced practice registered nurse ~~advanced registered nurse~~  
2779 ~~practitioner~~ in psychiatric mental health under s. 464.012. When  
2780 psychotherapeutic services are covered, eligibility criteria  
2781 shall be established by the insurer to be included in the  
2782 insurer's criteria for selection of network providers. The  
2783 insurer may not discriminate against a health care provider by  
2784 excluding such practitioner from its provider network solely on  
2785 the basis of the practitioner's license.

2786 (17) An exclusive provider organization shall not  
2787 discriminate with respect to participation as to any advanced  
2788 practice registered nurse ~~advanced registered nurse practitioner~~  
2789 ~~licensed and certified~~ pursuant to s. 464.012, who is acting  
2790 within the scope of such license ~~and certification~~, solely on  
2791 the basis of such license ~~or certification~~. This subsection  
2792 shall not be construed to prohibit a plan from including  
2793 providers only to the extent necessary to meet the needs of the  
2794 plan's enrollees or from establishing any measure designed to  
2795 maintain quality and control costs consistent with the



2796 responsibilities of the plan.

2797 Section 76. Effective October 1, 2018, paragraph (a) of  
2798 subsection (1) of section 627.736, Florida Statutes, is amended  
2799 to read:

2800 627.736 Required personal injury protection benefits;  
2801 exclusions; priority; claims.—

2802 (1) REQUIRED BENEFITS.—An insurance policy complying with  
2803 the security requirements of s. 627.733 must provide personal  
2804 injury protection to the named insured, relatives residing in  
2805 the same household, persons operating the insured motor vehicle,  
2806 passengers in the motor vehicle, and other persons struck by the  
2807 motor vehicle and suffering bodily injury while not an occupant  
2808 of a self-propelled vehicle, subject to subsection (2) and  
2809 paragraph (4) (e), to a limit of \$10,000 in medical and  
2810 disability benefits and \$5,000 in death benefits resulting from  
2811 bodily injury, sickness, disease, or death arising out of the  
2812 ownership, maintenance, or use of a motor vehicle as follows:

2813 (a) *Medical benefits.*—Eighty percent of all reasonable  
2814 expenses for medically necessary medical, surgical, X-ray,  
2815 dental, and rehabilitative services, including prosthetic  
2816 devices and medically necessary ambulance, hospital, and nursing  
2817 services if the individual receives initial services and care  
2818 pursuant to subparagraph 1. within 14 days after the motor  
2819 vehicle accident. The medical benefits provide reimbursement  
2820 only for:

2821 1. Initial services and care that are lawfully provided,  
2822 supervised, ordered, or prescribed by a physician licensed under  
2823 chapter 458 or chapter 459, a dentist licensed under chapter  
2824 466, or a chiropractic physician licensed under chapter 460 or



176038

2825 that are provided in a hospital or in a facility that owns, or  
2826 is wholly owned by, a hospital. Initial services and care may  
2827 also be provided by a person or entity licensed under part III  
2828 of chapter 401 which provides emergency transportation and  
2829 treatment.

2830         2. Upon referral by a provider described in subparagraph  
2831 1., followup services and care consistent with the underlying  
2832 medical diagnosis rendered pursuant to subparagraph 1. which may  
2833 be provided, supervised, ordered, or prescribed only by a  
2834 physician licensed under chapter 458 or chapter 459, a  
2835 chiropractic physician licensed under chapter 460, a dentist  
2836 licensed under chapter 466, or, to the extent permitted by  
2837 applicable law and under the supervision of such physician,  
2838 osteopathic physician, chiropractic physician, or dentist, by a  
2839 physician assistant licensed under chapter 458 or chapter 459 or  
2840 an advanced practice registered nurse ~~advanced registered nurse~~  
2841 ~~practitioner~~ licensed under chapter 464. Followup services and  
2842 care may also be provided by the following persons or entities:

2843         a. A hospital or ambulatory surgical center licensed under  
2844 chapter 395.

2845         b. An entity wholly owned by one or more physicians  
2846 licensed under chapter 458 or chapter 459, chiropractic  
2847 physicians licensed under chapter 460, or dentists licensed  
2848 under chapter 466 or by such practitioners and the spouse,  
2849 parent, child, or sibling of such practitioners.

2850         c. An entity that owns or is wholly owned, directly or  
2851 indirectly, by a hospital or hospitals.

2852         d. A physical therapist licensed under chapter 486, based  
2853 upon a referral by a provider described in this subparagraph.



2854 e. A health care clinic licensed under part X of chapter  
2855 400 which is accredited by an accrediting organization whose  
2856 standards incorporate comparable regulations required by this  
2857 state, or

2858 (I) Has a medical director licensed under chapter 458,  
2859 chapter 459, or chapter 460;

2860 (II) Has been continuously licensed for more than 3 years  
2861 or is a publicly traded corporation that issues securities  
2862 traded on an exchange registered with the United States  
2863 Securities and Exchange Commission as a national securities  
2864 exchange; and

2865 (III) Provides at least four of the following medical  
2866 specialties:

2867 (A) General medicine.

2868 (B) Radiography.

2869 (C) Orthopedic medicine.

2870 (D) Physical medicine.

2871 (E) Physical therapy.

2872 (F) Physical rehabilitation.

2873 (G) Prescribing or dispensing outpatient prescription  
2874 medication.

2875 (H) Laboratory services.

2876 3. Reimbursement for services and care provided in  
2877 subparagraph 1. or subparagraph 2. up to \$10,000 if a physician  
2878 licensed under chapter 458 or chapter 459, a dentist licensed  
2879 under chapter 466, a physician assistant licensed under chapter  
2880 458 or chapter 459, or an advanced practice registered nurse  
2881 ~~advanced registered nurse practitioner~~ licensed under chapter  
2882 464 has determined that the injured person had an emergency



176038

2883 medical condition.

2884           4. Reimbursement for services and care provided in  
2885 subparagraph 1. or subparagraph 2. is limited to \$2,500 if a  
2886 provider listed in subparagraph 1. or subparagraph 2. determines  
2887 that the injured person did not have an emergency medical  
2888 condition.

2889           5. Medical benefits do not include massage as defined in s.  
2890 480.033 or acupuncture as defined in s. 457.102, regardless of  
2891 the person, entity, or licensee providing massage or  
2892 acupuncture, and a licensed massage therapist or licensed  
2893 acupuncturist may not be reimbursed for medical benefits under  
2894 this section.

2895           6. The Financial Services Commission shall adopt by rule  
2896 the form that must be used by an insurer and a health care  
2897 provider specified in sub-subparagraph 2.b., sub-subparagraph  
2898 2.c., or sub-subparagraph 2.e. to document that the health care  
2899 provider meets the criteria of this paragraph. Such rule must  
2900 include a requirement for a sworn statement or affidavit.

2901  
2902 Only insurers writing motor vehicle liability insurance in this  
2903 state may provide the required benefits of this section, and  
2904 such insurer may not require the purchase of any other motor  
2905 vehicle coverage other than the purchase of property damage  
2906 liability coverage as required by s. 627.7275 as a condition for  
2907 providing such benefits. Insurers may not require that property  
2908 damage liability insurance in an amount greater than \$10,000 be  
2909 purchased in conjunction with personal injury protection. Such  
2910 insurers shall make benefits and required property damage  
2911 liability insurance coverage available through normal marketing



2912 channels. An insurer writing motor vehicle liability insurance  
2913 in this state who fails to comply with such availability  
2914 requirement as a general business practice violates part IX of  
2915 chapter 626, and such violation constitutes an unfair method of  
2916 competition or an unfair or deceptive act or practice involving  
2917 the business of insurance. An insurer committing such violation  
2918 is subject to the penalties provided under that part, as well as  
2919 those provided elsewhere in the insurance code.

2920 Section 77. Effective October 1, 2018, subsection (5) of  
2921 section 633.412, Florida Statutes, is amended to read:

2922 633.412 Firefighters; qualifications for certification.—A  
2923 person applying for certification as a firefighter must:

2924 (5) Be in good physical condition as determined by a  
2925 medical examination given by a physician, surgeon, or physician  
2926 assistant licensed to practice in the state pursuant to chapter  
2927 458; an osteopathic physician, surgeon, or physician assistant  
2928 licensed to practice in the state pursuant to chapter 459; or an  
2929 advanced practice registered nurse ~~advanced registered nurse~~  
2930 ~~practitioner~~ licensed to practice in the state pursuant to  
2931 chapter 464. Such examination may include, but need not be  
2932 limited to, the National Fire Protection Association Standard  
2933 1582. A medical examination evidencing good physical condition  
2934 shall be submitted to the division, on a form as provided by  
2935 rule, before an individual is eligible for admission into a  
2936 course under s. 633.408.

2937 Section 78. Effective October 1, 2018, section 641.3923,  
2938 Florida Statutes, is amended to read:

2939 641.3923 Discrimination against providers prohibited.—A  
2940 health maintenance organization may ~~shall~~ not discriminate with



176038

2941 respect to participation as to any advanced practice registered  
2942 nurse ~~advanced registered nurse practitioner~~ licensed and  
2943 ~~certified~~ pursuant to s. 464.012, who is acting within the scope  
2944 of such license ~~and certification~~, solely on the basis of such  
2945 license ~~or certification~~. This section may ~~shall~~ not be  
2946 construed to prohibit a plan from including providers only to  
2947 the extent necessary to meet the needs of the plan's enrollees  
2948 or from establishing any measure designed to maintain quality  
2949 and control costs consistent with the responsibilities of the  
2950 plan.

2951 Section 79. Effective October 1, 2018, subsection (3) of  
2952 section 766.103, Florida Statutes, is amended to read:

2953 766.103 Florida Medical Consent Law.—

2954 (3) No recovery shall be allowed in any court in this state  
2955 against any physician licensed under chapter 458, osteopathic  
2956 physician licensed under chapter 459, chiropractic physician  
2957 licensed under chapter 460, podiatric physician licensed under  
2958 chapter 461, dentist licensed under chapter 466, advanced  
2959 practice registered nurse licensed ~~advanced registered nurse~~  
2960 ~~practitioner certified~~ under s. 464.012, or physician assistant  
2961 licensed under s. 458.347 or s. 459.022 in an action brought for  
2962 treating, examining, or operating on a patient without his or  
2963 her informed consent when:

2964 (a)1. The action of the physician, osteopathic physician,  
2965 chiropractic physician, podiatric physician, dentist, advanced  
2966 practice registered nurse ~~advanced registered nurse~~  
2967 ~~practitioner~~, or physician assistant in obtaining the consent of  
2968 the patient or another person authorized to give consent for the  
2969 patient was in accordance with an accepted standard of medical



176038

2970 practice among members of the medical profession with similar  
2971 training and experience in the same or similar medical community  
2972 as that of the person treating, examining, or operating on the  
2973 patient for whom the consent is obtained; and

2974         2. A reasonable individual, from the information provided  
2975 by the physician, osteopathic physician, chiropractic physician,  
2976 podiatric physician, dentist, advanced practice registered nurse  
2977 ~~advanced registered nurse practitioner~~, or physician assistant,  
2978 under the circumstances, would have a general understanding of  
2979 the procedure, the medically acceptable alternative procedures  
2980 or treatments, and the substantial risks and hazards inherent in  
2981 the proposed treatment or procedures, which are recognized among  
2982 other physicians, osteopathic physicians, chiropractic  
2983 physicians, podiatric physicians, or dentists in the same or  
2984 similar community who perform similar treatments or procedures;  
2985 or

2986         (b) The patient would reasonably, under all the surrounding  
2987 circumstances, have undergone such treatment or procedure had he  
2988 or she been advised by the physician, osteopathic physician,  
2989 chiropractic physician, podiatric physician, dentist, advanced  
2990 practice registered nurse ~~advanced registered nurse~~  
2991 ~~practitioner~~, or physician assistant in accordance with the  
2992 provisions of paragraph (a).

2993         Section 80. Effective October 1, 2018, paragraph (d) of  
2994 subsection (3) of section 766.1115, Florida Statutes, is amended  
2995 to read:

2996         766.1115 Health care providers; creation of agency  
2997 relationship with governmental contractors.-

2998         (3) DEFINITIONS.-As used in this section, the term:





176038

- 2999 (d) "Health care provider" or "provider" means:  
3000 1. A birth center licensed under chapter 383.  
3001 2. An ambulatory surgical center licensed under chapter  
3002 395.  
3003 3. A hospital licensed under chapter 395.  
3004 4. A physician or physician assistant licensed under  
3005 chapter 458.  
3006 5. An osteopathic physician or osteopathic physician  
3007 assistant licensed under chapter 459.  
3008 6. A chiropractic physician licensed under chapter 460.  
3009 7. A podiatric physician licensed under chapter 461.  
3010 8. A registered nurse, nurse midwife, licensed practical  
3011 nurse, or advanced practice registered nurse ~~advanced registered~~  
3012 ~~nurse practitioner~~ licensed or registered under part I of  
3013 chapter 464 or any facility which employs nurses licensed or  
3014 registered under part I of chapter 464 to supply all or part of  
3015 the care delivered under this section.  
3016 9. A midwife licensed under chapter 467.  
3017 10. A health maintenance organization certificated under  
3018 part I of chapter 641.  
3019 11. A health care professional association and its  
3020 employees or a corporate medical group and its employees.  
3021 12. Any other medical facility the primary purpose of which  
3022 is to deliver human medical diagnostic services or which  
3023 delivers nonsurgical human medical treatment, and which includes  
3024 an office maintained by a provider.  
3025 13. A dentist or dental hygienist licensed under chapter  
3026 466.  
3027 14. A free clinic that delivers only medical diagnostic



176038

3028 services or nonsurgical medical treatment free of charge to all  
3029 low-income recipients.

3030 15. Any other health care professional, practitioner,  
3031 provider, or facility under contract with a governmental  
3032 contractor, including a student enrolled in an accredited  
3033 program that prepares the student for licensure as any one of  
3034 the professionals listed in subparagraphs 4.-9.

3035

3036 The term includes any nonprofit corporation qualified as exempt  
3037 from federal income taxation under s. 501(a) of the Internal  
3038 Revenue Code, and described in s. 501(c) of the Internal Revenue  
3039 Code, which delivers health care services provided by licensed  
3040 professionals listed in this paragraph, any federally funded  
3041 community health center, and any volunteer corporation or  
3042 volunteer health care provider that delivers health care  
3043 services.

3044 Section 81. Effective October 1, 2018, subsection (1) of  
3045 section 766.1116, Florida Statutes, is amended to read:

3046 766.1116 Health care practitioner; waiver of license  
3047 renewal fees and continuing education requirements.—

3048 (1) As used in this section, the term "health care  
3049 practitioner" means a physician or physician assistant licensed  
3050 under chapter 458; an osteopathic physician or physician  
3051 assistant licensed under chapter 459; a chiropractic physician  
3052 licensed under chapter 460; a podiatric physician licensed under  
3053 chapter 461; an advanced practice registered nurse ~~advanced~~  
3054 ~~registered nurse practitioner~~, registered nurse, or licensed  
3055 practical nurse licensed under part I of chapter 464; a dentist  
3056 or dental hygienist licensed under chapter 466; or a midwife



3057 licensed under chapter 467, who participates as a health care  
3058 provider under s. 766.1115.

3059 Section 82. Effective October 1, 2018, paragraph (c) of  
3060 subsection (1) of section 766.118, Florida Statutes, is amended  
3061 to read:

3062 766.118 Determination of noneconomic damages.—

3063 (1) DEFINITIONS.—As used in this section, the term:

3064 (c) "Practitioner" means any person licensed under chapter  
3065 458, chapter 459, chapter 460, chapter 461, chapter 462, chapter  
3066 463, chapter 466, chapter 467, ~~or chapter 486 or certified under~~  
3067 s. 464.012. "Practitioner" also means any association,  
3068 corporation, firm, partnership, or other business entity under  
3069 which such practitioner practices or any employee of such  
3070 practitioner or entity acting in the scope of his or her  
3071 employment. For the purpose of determining the limitations on  
3072 noneconomic damages set forth in this section, the term  
3073 "practitioner" includes any person or entity for whom a  
3074 practitioner is vicariously liable and any person or entity  
3075 whose liability is based solely on such person or entity being  
3076 vicariously liable for the actions of a practitioner.

3077 Section 83. Effective October 1, 2018, subsection (5) of  
3078 section 794.08, Florida Statutes, is amended to read:

3079 794.08 Female genital mutilation.—

3080 (5) This section does not apply to procedures performed by  
3081 or under the direction of a physician licensed under chapter  
3082 458, an osteopathic physician licensed under chapter 459, a  
3083 registered nurse licensed under part I of chapter 464, a  
3084 practical nurse licensed under part I of chapter 464, an  
3085 advanced practice registered nurse ~~advanced registered nurse~~



176038

3086 ~~practitioner~~ licensed under part I of chapter 464, a midwife  
3087 licensed under chapter 467, or a physician assistant licensed  
3088 under chapter 458 or chapter 459 when necessary to preserve the  
3089 physical health of a female person. This section also does not  
3090 apply to any autopsy or limited dissection conducted pursuant to  
3091 chapter 406.

3092 Section 84. Effective October 1, 2018, subsection (23) of  
3093 section 893.02, Florida Statutes, is amended to read:

3094 893.02 Definitions.—The following words and phrases as used  
3095 in this chapter shall have the following meanings, unless the  
3096 context otherwise requires:

3097 (23) "Practitioner" means a physician licensed under  
3098 chapter 458, a dentist licensed under chapter 466, a  
3099 veterinarian licensed under chapter 474, an osteopathic  
3100 physician licensed under chapter 459, an advanced practice  
3101 registered nurse licensed ~~advanced registered nurse practitioner~~  
3102 ~~certified~~ under chapter 464, a naturopath licensed under chapter  
3103 462, a certified optometrist licensed under chapter 463, a  
3104 psychiatric nurse as defined in s. 394.455, a podiatric  
3105 physician licensed under chapter 461, or a physician assistant  
3106 licensed under chapter 458 or chapter 459, provided such  
3107 practitioner holds a valid federal controlled substance registry  
3108 number.

3109 Section 85. Effective October 1, 2018, paragraph (b) of  
3110 subsection (1) of section 893.05, Florida Statutes, is amended  
3111 to read:

3112 893.05 Practitioners and persons administering controlled  
3113 substances in their absence.—

3114 (1)



3115 (b) Pursuant to s. 458.347(4)(g), s. 459.022(4)(f), or s.  
3116 464.012(3), as applicable, a practitioner who supervises a  
3117 licensed physician assistant or advanced practice registered  
3118 nurse ~~advanced registered nurse practitioner~~ may authorize the  
3119 licensed physician assistant or advanced practice registered  
3120 nurse ~~advanced registered nurse practitioner~~ to order controlled  
3121 substances for administration to a patient in a facility  
3122 licensed under chapter 395 or part II of chapter 400.

3123 Section 86. Effective October 1, 2018, subsection (6) of  
3124 section 943.13, Florida Statutes, is amended to read:

3125 943.13 Officers' minimum qualifications for employment or  
3126 appointment.—On or after October 1, 1984, any person employed or  
3127 appointed as a full-time, part-time, or auxiliary law  
3128 enforcement officer or correctional officer; on or after October  
3129 1, 1986, any person employed as a full-time, part-time, or  
3130 auxiliary correctional probation officer; and on or after  
3131 October 1, 1986, any person employed as a full-time, part-time,  
3132 or auxiliary correctional officer by a private entity under  
3133 contract to the Department of Corrections, to a county  
3134 commission, or to the Department of Management Services shall:

3135 (6) Have passed a physical examination by a licensed  
3136 physician, physician assistant, or licensed advanced practice  
3137 registered nurse ~~certified advanced registered nurse~~  
3138 ~~practitioner~~, based on specifications established by the  
3139 commission. In order to be eligible for the presumption set  
3140 forth in s. 112.18 while employed with an employing agency, a  
3141 law enforcement officer, correctional officer, or correctional  
3142 probation officer must have successfully passed the physical  
3143 examination required by this subsection upon entering into



3144 service as a law enforcement officer, correctional officer, or  
3145 correctional probation officer with the employing agency, which  
3146 examination must have failed to reveal any evidence of  
3147 tuberculosis, heart disease, or hypertension. A law enforcement  
3148 officer, correctional officer, or correctional probation officer  
3149 may not use a physical examination from a former employing  
3150 agency for purposes of claiming the presumption set forth in s.  
3151 112.18 against the current employing agency.

3152 Section 87. Effective October 1, 2018, paragraph (n) of  
3153 subsection (1) of section 948.03, Florida Statutes, is amended  
3154 to read:

3155 948.03 Terms and conditions of probation.—

3156 (1) The court shall determine the terms and conditions of  
3157 probation. Conditions specified in this section do not require  
3158 oral pronouncement at the time of sentencing and may be  
3159 considered standard conditions of probation. These conditions  
3160 may include among them the following, that the probationer or  
3161 offender in community control shall:

3162 (n) Be prohibited from using intoxicants to excess or  
3163 possessing any drugs or narcotics unless prescribed by a  
3164 physician, an advanced practice registered nurse ~~advanced~~  
3165 ~~registered nurse practitioner~~, or a physician assistant. The  
3166 probationer or community controllee may not knowingly visit  
3167 places where intoxicants, drugs, or other dangerous substances  
3168 are unlawfully sold, dispensed, or used.

3169 Section 88. Effective October 1, 2018, paragraph (i) of  
3170 subsection (3) of section 1002.20, Florida Statutes, is amended  
3171 to read:

3172 1002.20 K-12 student and parent rights.—Parents of public



3173 school students must receive accurate and timely information  
3174 regarding their child's academic progress and must be informed  
3175 of ways they can help their child to succeed in school. K-12  
3176 students and their parents are afforded numerous statutory  
3177 rights including, but not limited to, the following:

3178 (3) HEALTH ISSUES.—

3179 (i) *Epinephrine use and supply.*—

3180 1. A student who has experienced or is at risk for life-  
3181 threatening allergic reactions may carry an epinephrine auto-  
3182 injector and self-administer epinephrine by auto-injector while  
3183 in school, participating in school-sponsored activities, or in  
3184 transit to or from school or school-sponsored activities if the  
3185 school has been provided with parental and physician  
3186 authorization. The State Board of Education, in cooperation with  
3187 the Department of Health, shall adopt rules for such use of  
3188 epinephrine auto-injectors that shall include provisions to  
3189 protect the safety of all students from the misuse or abuse of  
3190 auto-injectors. A school district, county health department,  
3191 public-private partner, and their employees and volunteers shall  
3192 be indemnified by the parent of a student authorized to carry an  
3193 epinephrine auto-injector for any and all liability with respect  
3194 to the student's use of an epinephrine auto-injector pursuant to  
3195 this paragraph.

3196 2. A public school may purchase a supply of epinephrine  
3197 auto-injectors from a wholesale distributor as defined in s.  
3198 499.003 or may enter into an arrangement with a wholesale  
3199 distributor or manufacturer as defined in s. 499.003 for the  
3200 epinephrine auto-injectors at fair-market, free, or reduced  
3201 prices for use in the event a student has an anaphylactic



176038

3202 reaction. The epinephrine auto-injectors must be maintained in a  
3203 secure location on the public school's premises. The  
3204 participating school district shall adopt a protocol developed  
3205 by a licensed physician for the administration by school  
3206 personnel who are trained to recognize an anaphylactic reaction  
3207 and to administer an epinephrine auto-injection. The supply of  
3208 epinephrine auto-injectors may be provided to and used by a  
3209 student authorized to self-administer epinephrine by auto-  
3210 injector under subparagraph 1. or trained school personnel.

3211 3. The school district and its employees, agents, and the  
3212 physician who provides the standing protocol for school  
3213 epinephrine auto-injectors are not liable for any injury arising  
3214 from the use of an epinephrine auto-injector administered by  
3215 trained school personnel who follow the adopted protocol and  
3216 whose professional opinion is that the student is having an  
3217 anaphylactic reaction:

3218 a. Unless the trained school personnel's action is willful  
3219 and wanton;

3220 b. Notwithstanding that the parents or guardians of the  
3221 student to whom the epinephrine is administered have not been  
3222 provided notice or have not signed a statement acknowledging  
3223 that the school district is not liable; and

3224 c. Regardless of whether authorization has been given by  
3225 the student's parents or guardians or by the student's  
3226 physician, physician's assistant, or advanced practice  
3227 registered nurse ~~advanced registered nurse practitioner~~.

3228 Section 89. Effective October 1, 2018, paragraph (b) of  
3229 subsection (17) of section 1002.42, Florida Statutes, is amended  
3230 to read:





176038

3231 1002.42 Private schools.-

3232 (17) EPINEPHRINE SUPPLY.-

3233 (b) The private school and its employees, agents, and the  
3234 physician who provides the standing protocol for school  
3235 epinephrine auto-injectors are not liable for any injury arising  
3236 from the use of an epinephrine auto-injector administered by  
3237 trained school personnel who follow the adopted protocol and  
3238 whose professional opinion is that the student is having an  
3239 anaphylactic reaction:

3240 1. Unless the trained school personnel's action is willful  
3241 and wanton;

3242 2. Notwithstanding that the parents or guardians of the  
3243 student to whom the epinephrine is administered have not been  
3244 provided notice or have not signed a statement acknowledging  
3245 that the school district is not liable; and

3246 3. Regardless of whether authorization has been given by  
3247 the student's parents or guardians or by the student's  
3248 physician, physician's assistant, or advanced practice  
3249 registered nurse ~~advanced registered nurse practitioner~~.

3250 Section 90. Effective October 1, 2018, subsections (4) and  
3251 (5) of section 1006.062, Florida Statutes, are amended to read:

3252 1006.062 Administration of medication and provision of  
3253 medical services by district school board personnel.-

3254 (4) Nonmedical assistive personnel shall be allowed to  
3255 perform health-related services upon successful completion of  
3256 child-specific training by a registered nurse or advanced  
3257 practice registered nurse ~~advanced registered nurse practitioner~~  
3258 licensed under chapter 464, a physician licensed pursuant to  
3259 chapter 458 or chapter 459, or a physician assistant licensed



3260 pursuant to chapter 458 or chapter 459. All procedures shall be  
3261 monitored periodically by a nurse, advanced practice registered  
3262 nurse ~~advanced registered nurse practitioner~~, physician  
3263 assistant, or physician, including, but not limited to:  
3264 (a) Intermittent clean catheterization.  
3265 (b) Gastrostomy tube feeding.  
3266 (c) Monitoring blood glucose.  
3267 (d) Administering emergency injectable medication.  
3268 (5) For all other invasive medical services not listed in  
3269 this subsection, a registered nurse or advanced practice  
3270 registered nurse ~~advanced registered nurse practitioner~~ licensed  
3271 under chapter 464, a physician licensed pursuant to chapter 458  
3272 or chapter 459, or a physician assistant licensed pursuant to  
3273 chapter 458 or chapter 459 shall determine if nonmedical  
3274 district school board personnel shall be allowed to perform such  
3275 service.

3276 Section 91. Effective October 1, 2018, subsection (1) and  
3277 paragraph (a) of subsection (2) of section 1009.65, Florida  
3278 Statutes, are amended to read:

3279 1009.65 Medical Education Reimbursement and Loan Repayment  
3280 Program.—

3281 (1) To encourage qualified medical professionals to  
3282 practice in underserved locations where there are shortages of  
3283 such personnel, there is established the Medical Education  
3284 Reimbursement and Loan Repayment Program. The function of the  
3285 program is to make payments that offset loans and educational  
3286 expenses incurred by students for studies leading to a medical  
3287 or nursing degree, medical or nursing licensure, or advanced  
3288 practice registered nurse licensure ~~advanced registered nurse~~



176038

3289 ~~practitioner certification~~ or physician assistant licensure. The  
3290 following licensed or certified health care professionals are  
3291 eligible to participate in this program: medical doctors with  
3292 primary care specialties, doctors of osteopathic medicine with  
3293 primary care specialties, physician's assistants, licensed  
3294 practical nurses and registered nurses, and advanced practice  
3295 registered nurses ~~advanced registered nurse practitioners~~ with  
3296 primary care specialties such as certified nurse midwives.  
3297 Primary care medical specialties for physicians include  
3298 obstetrics, gynecology, general and family practice, internal  
3299 medicine, pediatrics, and other specialties which may be  
3300 identified by the Department of Health.

3301 (2) From the funds available, the Department of Health  
3302 shall make payments to selected medical professionals as  
3303 follows:

3304 (a) Up to \$4,000 per year for licensed practical nurses and  
3305 registered nurses, up to \$10,000 per year for advanced practice  
3306 registered nurses ~~advanced registered nurse practitioners~~ and  
3307 physician's assistants, and up to \$20,000 per year for  
3308 physicians. Penalties for noncompliance shall be the same as  
3309 those in the National Health Services Corps Loan Repayment  
3310 Program. Educational expenses include costs for tuition,  
3311 matriculation, registration, books, laboratory and other fees,  
3312 other educational costs, and reasonable living expenses as  
3313 determined by the Department of Health.

3314 Section 92. Effective October 1, 2018, subsection (2) of  
3315 section 1009.66, Florida Statutes, is amended to read:

3316 1009.66 Nursing Student Loan Forgiveness Program.—

3317 (2) To be eligible, a candidate must have graduated from an



3318 accredited or approved nursing program and have received a  
3319 Florida license as a licensed practical nurse or a registered  
3320 nurse or a Florida license certificate as an advanced practice  
3321 registered nurse ~~advanced registered nurse practitioner~~.

3322 Section 93. Effective October 1, 2018, subsection (3) of  
3323 section 1009.67, Florida Statutes, is amended to read:

3324 1009.67 Nursing scholarship program.-

3325 (3) A scholarship may be awarded for no more than 2 years,  
3326 in an amount not to exceed \$8,000 per year. However, registered  
3327 nurses pursuing a graduate degree for a faculty position or to  
3328 practice as an advanced practice registered nurse ~~advanced~~  
3329 ~~registered nurse practitioner~~ may receive up to \$12,000 per  
3330 year. These amounts shall be adjusted by the amount of increase  
3331 or decrease in the Consumer Price Index for All Urban Consumers  
3332 published by the United States Department of Commerce.

3333 Section 94. Except as otherwise expressly provided in this  
3334 act, this act shall take effect upon becoming a law.

3335  
3336 ===== T I T L E A M E N D M E N T =====

3337 And the title is amended as follows:

3338 Delete lines 98 - 105

3339 and insert:

3340 An act relating to licensed health care professionals;  
3341 creating s. 456.0541, F.S.; establishing the Physician  
3342 Fee Sharing Task Force within the Department of  
3343 Health; providing for duties, membership, and meetings  
3344 of the task force; requiring a report to the Governor  
3345 and Legislature by a specified date; providing for  
3346 expiration of the task force; amending s. 464.003,



3347 F.S.; defining the term "advanced practice registered  
3348 nurse"; deleting the terms "advanced registered nurse  
3349 practitioner," "clinical nurse specialist," and  
3350 "clinical nurse specialist practice," to conform to  
3351 changes made by the act; repealing s. 464.0115, F.S.,  
3352 relating to the certification of clinical nurse  
3353 specialists; amending s. 464.012, F.S.; requiring any  
3354 nurse desiring to be licensed as an advanced practice  
3355 registered nurse to apply to the Department of Health,  
3356 submit proof that he or she holds a current license to  
3357 practice professional nursing, and meet one or more  
3358 specified requirements as determined by the Board of  
3359 Nursing; authorizing the board to adopt rules to  
3360 provide for provisional state licensure of certified  
3361 nurse midwives, certified nurse practitioners,  
3362 certified registered nurse anesthetists, clinical  
3363 nurse specialists, and psychiatric nurses for a  
3364 specified period of time; requiring the department and  
3365 the board to establish a transition process for  
3366 converting certain certified practitioners to licensed  
3367 practitioners; authorizing certain certified  
3368 practitioners to continue practicing advanced nursing  
3369 during a specified period of time; providing  
3370 construction; providing an expiration date for  
3371 provisions relating to the transition from  
3372 certification to licensure; conforming provisions to  
3373 changes made by the act; amending s. 960.28, F.S.;  
3374 conforming a cross-reference; amending ss. 39.303,  
3375 39.304, 90.503, 110.12315, 121.0515, 252.515, 310.071,



176038

3376 310.073, 310.081, 320.0848, 381.00315, 381.00593,  
3377 383.14, 383.141, 384.27, 390.0111, 390.012, 394.455,  
3378 395.0191, 397.311, 397.4012, 397.427, 397.679,  
3379 397.6793, 400.021, 400.462, 400.487, 400.506,  
3380 400.9973, 400.9974, 400.9976, 400.9979, 401.445,  
3381 409.905, 409.908, 409.973, 429.918, 456.0391,  
3382 456.0392, 456.041, 456.048, 456.072, 456.44, 458.3265,  
3383 458.331, 458.348, 459.0137, 459.015, 459.025, 464.003,  
3384 464.004, 464.013, 464.015, 464.016, 464.018, 464.0205,  
3385 467.003, 480.0475, 483.041, 483.801, 486.021, 490.012,  
3386 491.0057, 491.012, 493.6108, 627.357, 627.6471,  
3387 627.6472, 627.736, 633.412, 641.3923, 766.103,  
3388 766.1115, 766.1116, 766.118, 794.08, 893.02, 893.05,  
3389 943.13, 948.03, 1002.20, 1002.42, 1006.062, 1009.65,  
3390 1009.66, and 1009.67, F.S.; conforming provisions to  
3391 changes made by the act; providing effective dates.