

By Senator Harrell

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1 A bill to be entitled
2 An act relating to the Department of Health; amending
3 s. 381.4018, F.S.; authorizing the Department of
4 Health to adopt certain rules; amending s. 456.013,
5 F.S.; revising health care practitioner licensure
6 application requirements; amending s. 458.3312, F.S.;
7 removing a provision prohibiting a physician from
8 representing himself or herself as a board-certified
9 specialist in dermatology unless the recognizing
10 agency is reviewed and reauthorized on a specified
11 basis by the Board of Medicine; amending s. 458.347,
12 F.S.; requiring a licensed physician assistant to
13 report any changes in his or her supervising physician
14 or designated supervising physician within a specified
15 timeframe; authorizing a licensed physician assistant
16 to practice under the supervision of a physician other
17 than the designated physician, under specified
18 circumstances; amending s. 459.0055, F.S.; revising
19 licensure requirements for a person seeking licensure
20 or certification as an osteopathic physician; amending
21 s. 459.022, F.S.; requiring a licensed physician
22 assistant to report any changes in his or her
23 supervising physician or designated supervising
24 physician within a specified timeframe; authorizing a
25 physician assistant to practice under the supervision
26 of a physician other than the designated physician,
27 under specified circumstances; amending s. 460.408,
28 F.S.; defining the term "contact classroom hour";
29 revising provisions relating to continuing

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30 chiropractic education requirements; repealing s.
31 460.4166, F.S., relating to registered chiropractic
32 assistants; amending s. 464.202, F.S.; requiring the
33 Board of Nursing to adopt rules that include
34 disciplinary procedures and standards of practice for
35 certified nursing assistants; amending s. 464.203,
36 F.S.; revising certification requirements for nursing
37 assistants; amending s. 464.204, F.S.; revising
38 grounds for board-imposed disciplinary sanctions;
39 amending s. 466.006, F.S.; revising certain
40 requirements for examinations to be completed by
41 applicants seeking dental licensure; amending s.
42 466.007, F.S.; revising requirements for examinations
43 of dental hygienists; amending s. 466.017, F.S.;
44 providing adverse incident reporting requirements;
45 providing for disciplinary action by the Board of
46 Dentistry; defining the term "adverse incident";
47 authorizing the board to adopt rules; amending s.
48 466.031, F.S.; expanding the definition of the term
49 "dental laboratory" to include any person, firm, or
50 corporation that performs an onsite consultation
51 during dental procedures; amending s. 466.036, F.S.;
52 revising inspection frequency of dental laboratories
53 during a specified period; amending s. 468.701, F.S.;
54 revising the definition of the term "athletic trainer"
55 for the purpose of relocating an existing requirement;
56 amending s. 468.707, F.S.; revising athletic trainer
57 licensure requirements; amending s. 468.711, F.S.;
58 requiring certain licensees to maintain certification

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59 in good standing without lapse to renew their athletic
60 trainer license; amending s. 468.713, F.S.; requiring
61 that an athletic trainer work within a specified scope
62 of practice; relocating an existing requirement;
63 amending s. 468.723, F.S.; requiring the direct
64 supervision of an athletic training student to be in
65 accordance with rules adopted by the Board of Athletic
66 Training; amending s. 468.803, F.S.; revising
67 orthotic, prosthetic, and pedorthic licensure,
68 registration, and examination requirements; amending
69 s. 480.033, F.S.; revising the definition of the term
70 "apprentice"; amending s. 480.041, F.S.; revising
71 qualifications for licensure as a massage therapist;
72 specifying that a massage apprentice who was licensed
73 before a specified date may continue to perform
74 massage therapy as authorized under his or her
75 license; authorizing a massage apprentice to apply for
76 full licensure upon completion of the apprenticeship
77 under certain conditions; repealing s. 480.042, F.S.,
78 relating to examinations for licensure as a massage
79 therapist; amending s. 480.046, F.S.; revising
80 instances under which disciplinary action may be taken
81 against massage establishments; prohibiting certain
82 massage establishments from applying for relicensure;
83 providing an exception; amending s. 490.003, F.S.;
84 revising the definition of the terms "doctoral-level
85 psychological education" and "doctoral degree in
86 psychology"; amending s. 490.005, F.S.; revising
87 requirements for licensure by examination of

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88 psychologists and school psychologists; amending s.
89 490.006, F.S.; revising requirements for licensure by
90 endorsement of psychologists and school psychologists;
91 amending s. 491.0045, F.S.; providing an exemption for
92 registration requirements for clinical social worker
93 interns, marriage and family therapist interns, and
94 mental health counselor interns under certain
95 circumstances; amending s. 491.005, F.S.; revising
96 requirements for the licensure by examination of
97 marriage and family therapists; revising examination
98 requirements for the licensure by examination of
99 mental health counselors; amending s. 491.006, F.S.;
100 revising requirements for licensure by endorsement or
101 certification for specified professions; amending s.
102 491.007, F.S.; removing a biennial intern registration
103 fee; amending s. 491.009, F.S.; authorizing the Board
104 of Clinical Social Work, Marriage and Family Therapy,
105 and Mental Health Counseling or, under certain
106 circumstances, the department to enter an order
107 denying licensure or imposing penalties against an
108 applicant for licensure under certain circumstances;
109 amending ss. 491.0046 and 945.42, F.S.; conforming
110 cross-references; providing an effective date.

111
112 Be It Enacted by the Legislature of the State of Florida:

113
114 Section 1. Subsection (3) of section 381.4018, Florida
115 Statutes, is amended to read:

116 381.4018 Physician workforce assessment and development.—

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

124 (a) Monitor, evaluate, and report on the supply and
125 distribution of physicians licensed under chapter 458 or chapter
126 459. The department shall maintain a database to serve as a
127 statewide source of data concerning the physician workforce.

128 (b) Develop a model and quantify, on an ongoing basis, the
129 adequacy of the state's current and future physician workforce
130 as reliable data becomes available. Such model must take into
131 account demographics, physician practice status, place of
132 education and training, generational changes, population growth,
133 economic indicators, and issues concerning the "pipeline" into
134 medical education.

135 (c) Develop and recommend strategies to determine whether
136 the number of qualified medical school applicants who might
137 become competent, practicing physicians in this state will be
138 sufficient to meet the capacity of the state's medical schools.
139 If appropriate, the department shall, working with
140 representatives of appropriate governmental and nongovernmental
141 entities, develop strategies and recommendations and identify
142 best practice programs that introduce health care as a
143 profession and strengthen skills needed for medical school
144 admission for elementary, middle, and high school students, and
145 improve premedical education at the precollege and college level

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146 in order to increase this state's potential pool of medical
147 students.

148 (d) Develop strategies to ensure that the number of
149 graduates from the state's public and private allopathic and
150 osteopathic medical schools is adequate to meet physician
151 workforce needs, based on the analysis of the physician
152 workforce data, so as to provide a high-quality medical
153 education to students in a manner that recognizes the uniqueness
154 of each new and existing medical school in this state.

155 (e) Pursue strategies and policies to create, expand, and
156 maintain graduate medical education positions in the state based
157 on the analysis of the physician workforce data. Such strategies
158 and policies must take into account the effect of federal
159 funding limitations on the expansion and creation of positions
160 in graduate medical education. The department shall develop
161 options to address such federal funding limitations. The
162 department shall consider options to provide direct state
163 funding for graduate medical education positions in a manner
164 that addresses requirements and needs relative to accreditation
165 of graduate medical education programs. The department shall
166 consider funding residency positions as a means of addressing
167 needed physician specialty areas, rural areas having a shortage
168 of physicians, and areas of ongoing critical need, and as a
169 means of addressing the state's physician workforce needs based
170 on an ongoing analysis of physician workforce data.

171 (f) Develop strategies to maximize federal and state
172 programs that provide for the use of incentives to attract
173 physicians to this state or retain physicians within the state.
174 Such strategies should explore and maximize federal-state

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175 partnerships that provide incentives for physicians to practice
176 in federally designated shortage areas. Strategies shall also
177 consider the use of state programs, such as the Medical
178 Education Reimbursement and Loan Repayment Program pursuant to
179 s. 1009.65, which provide for education loan repayment or loan
180 forgiveness and provide monetary incentives for physicians to
181 relocate to underserved areas of the state.

182 (g) Coordinate and enhance activities relative to physician
183 workforce needs, undergraduate medical education, graduate
184 medical education, and reentry of retired military and other
185 physicians into the physician workforce provided by the Division
186 of Medical Quality Assurance, area health education center
187 networks established pursuant to s. 381.0402, and other offices
188 and programs within the department as designated by the State
189 Surgeon General.

190 (h) Work in conjunction with and act as a coordinating body
191 for governmental and nongovernmental stakeholders to address
192 matters relating to the state's physician workforce assessment
193 and development for the purpose of ensuring an adequate supply
194 of well-trained physicians to meet the state's future needs.
195 Such governmental stakeholders shall include, but need not be
196 limited to, the State Surgeon General or his or her designee,
197 the Commissioner of Education or his or her designee, the
198 Secretary of Health Care Administration or his or her designee,
199 and the Chancellor of the State University System or his or her
200 designee, and, at the discretion of the department, other
201 representatives of state and local agencies that are involved in
202 assessing, educating, or training the state's current or future
203 physicians. Other stakeholders shall include, but need not be

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204 limited to, organizations representing the state's public and
205 private allopathic and osteopathic medical schools;
206 organizations representing hospitals and other institutions
207 providing health care, particularly those that currently provide
208 or have an interest in providing accredited medical education
209 and graduate medical education to medical students and medical
210 residents; organizations representing allopathic and osteopathic
211 practicing physicians; and, at the discretion of the department,
212 representatives of other organizations or entities involved in
213 assessing, educating, or training the state's current or future
214 physicians.

215 (i) Serve as a liaison with other states and federal
216 agencies and programs in order to enhance resources available to
217 the state's physician workforce and medical education continuum.

218 (j) Act as a clearinghouse for collecting and disseminating
219 information concerning the physician workforce and medical
220 education continuum in this state.

221
222 The department may adopt rules to implement this subsection.

223 Section 2. Paragraph (a) of subsection (1) of section
224 456.013, Florida Statutes, is amended to read:

225 456.013 Department; general licensing provisions.—

226 (1) (a) Any person desiring to be licensed in a profession
227 within the jurisdiction of the department shall apply to the
228 department in writing ~~to take the licensure examination~~. The
229 application shall be made on a form prepared and furnished by
230 the department. The application form must be available on the
231 Internet, ~~World Wide Web~~ and the department may accept
232 electronically submitted applications. The application shall

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233 require the social security number and date of birth of the
234 applicant, except as provided in paragraphs (b) and (c). The
235 form shall be supplemented as needed to reflect any material
236 change in any circumstance or condition stated in the
237 application which takes place between the initial filing of the
238 application and the final grant or denial of the license and
239 which might affect the decision of the department. If an
240 application is submitted electronically, the department may
241 require supplemental materials, including an original signature
242 of the applicant and verification of credentials, to be
243 submitted in a nonelectronic format. An incomplete application
244 shall expire 1 year after initial filing. In order to further
245 the economic development goals of the state, and notwithstanding
246 any law to the contrary, the department may enter into an
247 agreement with the county tax collector for the purpose of
248 appointing the county tax collector as the department's agent to
249 accept applications for licenses and applications for renewals
250 of licenses. The agreement must specify the time within which
251 the tax collector must forward any applications and accompanying
252 application fees to the department.

253 Section 3. Section 458.3312, Florida Statutes, is amended
254 to read:

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

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

268 Section 4. Paragraph (d) of subsection (7) of section
269 458.347, Florida Statutes, is amended to read:

270 458.347 Physician assistants.—

271 (7) PHYSICIAN ASSISTANT LICENSURE.—

272 (d) Upon employment as a physician assistant, a licensed
273 physician assistant must notify the department in writing within
274 30 days after such employment and provide ~~or after any~~
275 ~~subsequent changes in the supervising physician. The~~
276 ~~notification must include~~ the full name, Florida medical license
277 number, specialty, and address of a supervising physician or a
278 designated ~~the~~ supervising physician. The licensed physician
279 assistant must report any subsequent change in the supervising
280 physician or designated supervising physician to the department
281 within 30 days after the change. Assignment of a designated
282 physician does not preclude a physician assistant from
283 practicing under the supervision of a physician other than the
284 designated supervising physician if:

285 1. The designated supervising physician is designated as
286 the primary contact by the facility or physician practice group
287 that employs the physician assistant and the physician assistant
288 is subject to supervision by more than one supervising
289 physician; and

290 2. The designated supervising physician maintains a current

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291 list of all approved supervising physicians at the facility or
292 physician group practice which includes the name of each
293 supervising physician and his or her area of practice, and
294 provides the list to the department or board upon written
295 request.

296 Section 5. Subsection (1) of section 459.0055, Florida
297 Statutes, is amended to read:

298 459.0055 General licensure requirements.—

299 (1) Except as otherwise provided herein, any person
300 desiring to be licensed or certified as an osteopathic physician
301 pursuant to this chapter shall:

302 (a) Complete an application form and submit the appropriate
303 fee to the department;

304 (b) Be at least 21 years of age;

305 (c) Be of good moral character;

306 (d) Have completed at least 3 years of preprofessional
307 postsecondary education;

308 (e) Have not previously committed any act that would
309 constitute a violation of this chapter, unless the board
310 determines that such act does not adversely affect the
311 applicant's present ability and fitness to practice osteopathic
312 medicine;

313 (f) Not be under investigation in any jurisdiction for an
314 act that would constitute a violation of this chapter. If, upon
315 completion of such investigation, it is determined that the
316 applicant has committed an act that would constitute a violation
317 of this chapter, the applicant is ineligible for licensure
318 unless the board determines that such act does not adversely
319 affect the applicant's present ability and fitness to practice

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320 osteopathic medicine;

321 (g) Have not had an application for a license to practice
322 osteopathic medicine denied or a license to practice osteopathic
323 medicine revoked, suspended, or otherwise acted against by the
324 licensing authority of any jurisdiction unless the board
325 determines that the grounds on which such action was taken do
326 not adversely affect the applicant's present ability and fitness
327 to practice osteopathic medicine. A licensing authority's
328 acceptance of a physician's relinquishment of license,
329 stipulation, consent order, or other settlement, offered in
330 response to or in anticipation of the filing of administrative
331 charges against the osteopathic physician, shall be considered
332 action against the osteopathic physician's license;

333 (h) Not have received less than a satisfactory evaluation
334 from an internship, residency, or fellowship training program,
335 unless the board determines that such act does not adversely
336 affect the applicant's present ability and fitness to practice
337 osteopathic medicine. Such evaluation shall be provided by the
338 director of medical education from the medical training
339 facility;

340 (i) Have met the criteria set forth in s. 459.0075, s.
341 459.0077, or s. 459.021, whichever is applicable;

342 (j) Submit to the department a set of fingerprints on a
343 form and under procedures specified by the department, along
344 with a payment in an amount equal to the costs incurred by the
345 Department of Health for the criminal background check of the
346 applicant;

347 (k) Demonstrate that he or she is a graduate of a medical
348 college recognized and approved by the American Osteopathic

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349 Association;

350 (l) Demonstrate that she or he has successfully completed
351 an internship or residency ~~a resident internship~~ of not less
352 than 12 months in a program accredited ~~hospital approved~~ for
353 this purpose by ~~the Board of Trustees of~~ the American
354 Osteopathic Association or the Accreditation Council for
355 Graduate Medical Education ~~any other internship program approved~~
356 ~~by the board upon a showing of good cause by the applicant.~~ This
357 requirement may be waived for an applicant who matriculated in a
358 college of osteopathic medicine during or before 1948; and

359 (m) Demonstrate that she or he has obtained a passing
360 score, as established by rule of the board, on all parts of the
361 examination conducted by the National Board of Osteopathic
362 Medical Examiners or other examination approved by the board no
363 more than 5 years before making application in this state or, if
364 holding a valid active license in another state, that the
365 initial licensure in the other state occurred no more than 5
366 years after the applicant obtained a passing score on the
367 examination conducted by the National Board of Osteopathic
368 Medical Examiners or other substantially similar examination
369 approved by the board.

370 Section 6. Paragraph (d) of subsection (7) of section
371 459.022, Florida Statutes, is amended to read:

372 459.022 Physician assistants.—

373 (7) PHYSICIAN ASSISTANT LICENSURE.—

374 (d) Upon employment as a physician assistant, a licensed
375 physician assistant must notify the department in writing within
376 30 days after such employment and provide ~~or after any~~
377 ~~subsequent changes in the supervising physician.~~ The

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378 ~~notification must include~~ the full name, Florida medical license
379 number, specialty, and address of a supervising physician or a
380 designated ~~the~~ supervising physician. The licensed physician
381 assistant must report any subsequent change in the supervising
382 physician or designated supervising physician to the department
383 within 30 days after the change. Assignment of a designated
384 physician does not preclude a physician assistant from
385 practicing under the supervision of a physician other than the
386 designated supervising physician if:

387 1. The designated supervising physician is designated as
388 the primary contact by the facility or physician practice group
389 that employs the physician assistant and the physician assistant
390 is subject to supervision by more than one supervising
391 physician; and

392 2. The designated supervising physician maintains a current
393 list of all approved supervising physicians at the facility or
394 physician group practice which includes the name of each
395 supervising physician and his or her area of practice, and
396 provides the list to the department or board upon written
397 request.

398 Section 7. Subsection (1) of section 460.408, Florida
399 Statutes, is amended to read:

400 460.408 Continuing chiropractic education.—

401 (1) The board shall require licensees to periodically
402 demonstrate their professional competence as a condition of
403 renewal of a license by completing up to 40 contact classroom
404 hours of continuing education. For purposes of this subsection,
405 the term "contact classroom hour" means a presentation in which
406 the persons presenting and the persons attending the course are

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407 present on site. Up to 10 general credit continuing education
408 hours may be completed online in place of contact classroom
409 hours, as determined by board rule. Online continuing education
410 courses must be competency-based and must use the Shareable
411 Content Objective Reference Model standard or more stringent
412 standards, as determined by the board.

413 (a) Continuing education courses sponsored by chiropractic
414 colleges whose graduates are eligible for examination under ~~any~~
415 ~~provision of~~ this chapter may be approved upon review by the
416 board if all other requirements of board rules setting forth
417 criteria for course approval are met.

418 (b) The board shall approve those courses that build upon
419 the basic courses required for the practice of chiropractic
420 medicine, ~~and the board~~ may also approve courses in adjunctive
421 modalities. Courses that consist of instruction in the use,
422 application, prescription, recommendation, or administration of
423 a specific company's brand of products or services are not
424 eligible for approval.

425 Section 8. Section 460.4166, Florida Statutes, is repealed.

426 Section 9. Section 464.202, Florida Statutes, is amended to
427 read:

428 464.202 Duties and powers of the board.—The board shall
429 maintain, or contract with or approve another entity to
430 maintain, a state registry of certified nursing assistants. The
431 registry must consist of the name of each certified nursing
432 assistant in this state; other identifying information defined
433 by board rule; certification status; the effective date of
434 certification; other information required by state or federal
435 law; information regarding any crime or any abuse, neglect, or

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436 exploitation as provided under chapter 435; and any disciplinary
437 action taken against the certified nursing assistant. The
438 registry shall be accessible to the public, the
439 certificateholder, employers, and other state agencies. The
440 board shall adopt by rule testing procedures for use in
441 certifying nursing assistants and shall adopt rules regulating
442 the practice of certified nursing assistants, including
443 disciplinary procedures and standards of practice, and
444 specifying the scope of practice authorized and the level of
445 supervision required for the practice of certified nursing
446 assistants. The board may contract with or approve another
447 entity or organization to provide the examination services,
448 including the development and administration of examinations.
449 The board shall require that the contract provider offer
450 certified nursing assistant applications via the Internet, and
451 may require the contract provider to accept certified nursing
452 assistant applications for processing via the Internet. The
453 board shall require the contract provider to provide the
454 preliminary results of the certified nursing examination on the
455 date the test is administered. The provider shall pay all
456 reasonable costs and expenses incurred by the board in
457 evaluating the provider's application and performance during the
458 delivery of services, including examination services and
459 procedures for maintaining the certified nursing assistant
460 registry.

461 Section 10. Paragraph (c) of subsection (1) of section
462 464.203, Florida Statutes, is amended to read:

463 464.203 Certified nursing assistants; certification
464 requirement.-

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465 (1) The board shall issue a certificate to practice as a
 466 certified nursing assistant to any person who demonstrates a
 467 minimum competency to read and write and successfully passes the
 468 required background screening pursuant to s. 400.215. If the
 469 person has successfully passed the required background screening
 470 pursuant to s. 400.215 or s. 408.809 within 90 days before
 471 applying for a certificate to practice and the person's
 472 background screening results are not retained in the
 473 clearinghouse created under s. 435.12, the board shall waive the
 474 requirement that the applicant successfully pass an additional
 475 background screening pursuant to s. 400.215. The person must
 476 also meet one of the following requirements:

477 (c) Is currently certified in another state or territory of
 478 the United States or in the District of Columbia; is listed on
 479 that jurisdiction's ~~state's~~ certified nursing assistant
 480 registry; and has not been found to have committed abuse,
 481 neglect, or exploitation in that jurisdiction ~~state~~.

482 Section 11. Paragraph (b) of subsection (1) of section
 483 464.204, Florida Statutes, is amended to read:

484 464.204 Denial, suspension, or revocation of certification;
 485 disciplinary actions.—

486 (1) The following acts constitute grounds for which the
 487 board may impose disciplinary sanctions as specified in
 488 subsection (2):

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

491 Section 12. Paragraph (b) of subsection (3) and subsection
 492 (4) of section 466.006, Florida Statutes, are amended to read:

493 466.006 Examination of dentists.—

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494 (3) If an applicant is a graduate of a dental college or
495 school not accredited in accordance with paragraph (2) (b) or of
496 a dental college or school not approved by the board, the
497 applicant is not entitled to take the examinations required in
498 this section to practice dentistry until she or he satisfies one
499 of the following:

500 (b) Submits proof of having successfully completed at least
501 2 consecutive academic years at a full-time supplemental general
502 dentistry program accredited by the American Dental Association
503 Commission on Dental Accreditation. This program must provide
504 didactic and clinical education at the level of a D.D.S. or
505 D.M.D. program accredited by the American Dental Association
506 Commission on Dental Accreditation. For purposes of this
507 paragraph, a supplemental general dentistry program does not
508 include an advanced education program in a dental specialty.

509 (4) Notwithstanding any other provision of law in chapter
510 456 pertaining to the clinical dental licensure examination or
511 national examinations, to be licensed as a dentist in this
512 state, an applicant must successfully complete both of the
513 following:

514 (a) A written examination on the laws and rules of the
515 state regulating the practice of dentistry.†

516 (b) ~~1.~~ A practical or clinical examination, which must ~~shall~~
517 be the American Dental Licensing Examination produced by the
518 American Board of Dental Examiners, Inc., or its successor
519 entity, if any, that is administered in this state ~~and graded by~~
520 ~~dentists licensed in this state and employed by the department~~
521 ~~for just such purpose~~, provided that the board has attained, and
522 continues to maintain thereafter, representation on the board of

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523 directors of the American Board of Dental Examiners, the
524 examination development committee of the American Board of
525 Dental Examiners, and such other committees of the American
526 Board of Dental Examiners as the board deems appropriate by rule
527 to assure that the standards established herein are maintained
528 organizationally. A passing score on the American Dental
529 Licensing Examination administered in this state ~~and graded by~~
530 ~~dentists who are licensed in this state~~ is valid for 365 days
531 after the date the official examination results are published.

532 1.2.a. As an alternative to such practical or clinical
533 examination ~~the requirements of subparagraph 1.~~, an applicant
534 may submit scores from an American Dental Licensing Examination
535 previously administered in a jurisdiction other than this state
536 after October 1, 2011, and such examination results shall be
537 recognized as valid for the purpose of licensure in this state.
538 A passing score on the American Dental Licensing Examination
539 administered out-of-state shall be the same as the passing score
540 for the American Dental Licensing Examination administered in
541 this state ~~and graded by dentists who are licensed in this~~
542 ~~state~~. The examination results are valid for 365 days after the
543 date the official examination results are published. The
544 applicant must have completed the examination after October 1,
545 2011.

546 ~~b.~~ This subparagraph may not be given retroactive
547 application.

548 2.3. If the date of an applicant's passing American Dental
549 Licensing Examination scores from an examination previously
550 administered in a jurisdiction other than this state under
551 subparagraph 1. ~~subparagraph 2.~~ is older than 365 days, ~~then~~

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552 such scores are ~~shall~~ nevertheless ~~be recognized as~~ valid for
553 the purpose of licensure in this state, but only if the
554 applicant demonstrates that all of the following additional
555 standards have been met:

556 a. ~~(I)~~ The applicant completed the American Dental Licensing
557 Examination after October 1, 2011.

558 ~~(II)~~ This sub-subparagraph may not be given retroactive
559 application;

560 b. The applicant graduated from a dental school accredited
561 by the American Dental Association Commission on Dental
562 Accreditation or its successor entity, if any, or any other
563 dental accrediting organization recognized by the United States
564 Department of Education. Provided, however, if the applicant did
565 not graduate from such a dental school, the applicant may submit
566 proof of having successfully completed a full-time supplemental
567 general dentistry program accredited by the American Dental
568 Association Commission on Dental Accreditation of at least 2
569 consecutive academic years at such accredited sponsoring
570 institution. Such program must provide didactic and clinical
571 education at the level of a D.D.S. or D.M.D. program accredited
572 by the American Dental Association Commission on Dental
573 Accreditation. For purposes of this paragraph, a supplemental
574 general dentistry program does not include an advanced education
575 program in a dental specialty;

576 c. The applicant currently possesses a valid and active
577 dental license in good standing, with no restriction, which has
578 never been revoked, suspended, restricted, or otherwise
579 disciplined, from another state or territory of the United
580 States, the District of Columbia, or the Commonwealth of Puerto

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581 Rico;

582 d. The applicant submits proof that he or she has never
583 been reported to the National Practitioner Data Bank, the
584 Healthcare Integrity and Protection Data Bank, or the American
585 Association of Dental Boards Clearinghouse. This sub-
586 subparagraph does not apply if the applicant successfully
587 appealed to have his or her name removed from the data banks of
588 these agencies;

589 e. (I) (A) ~~In the 5 years immediately preceding the date of~~
590 ~~application for licensure in this state,~~ The applicant submits
591 ~~must submit~~ proof of having been consecutively engaged in the
592 full-time practice of dentistry in another state or territory of
593 the United States, the District of Columbia, or the Commonwealth
594 of Puerto Rico in the 5 years immediately preceding the date of
595 application for licensure in this state; ~~r~~ or ~~r~~

596 (B) If the applicant has been licensed in another state or
597 territory of the United States, the District of Columbia, or the
598 Commonwealth of Puerto Rico for less than 5 years, the applicant
599 submits ~~must submit~~ proof of having been engaged in the full-
600 time practice of dentistry since the date of his or her initial
601 licensure.

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

607 (A) Active clinical practice of dentistry providing direct
608 patient care.

609 (B) Full-time practice as a faculty member employed by a

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610 dental or dental hygiene school approved by the board or
611 accredited by the American Dental Association Commission on
612 Dental Accreditation.

613 (C) Full-time practice as a student at a postgraduate
614 dental education program approved by the board or accredited by
615 the American Dental Association Commission on Dental
616 Accreditation.

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

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

622 (B) Submitted in writing;

623 (C) Submitted by the applicant under oath with penalties of
624 perjury attached;

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

629 (E) Specifically found by the board to be both credible and
630 admissible.

631 (IV) An affidavit of only the applicant is not acceptable
632 proof of full-time practice unless it is further attested to by
633 someone unrelated to the applicant who has personal knowledge of
634 the applicant's practice. If the board deems it necessary to
635 assess credibility or accuracy, the board may require the
636 applicant or the applicant's witnesses to appear before the
637 board and give oral testimony under oath;

638 f. The applicant submits ~~must submit~~ documentation that he

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639 or she has completed, or will complete, prior to licensure in
640 this state, continuing education equivalent to this state's
641 requirements for the last full reporting biennium;

642 g. The applicant proves ~~must prove~~ that he or she has never
643 been convicted of, or pled nolo contendere to, regardless of
644 adjudication, any felony or misdemeanor related to the practice
645 of a health care profession in any jurisdiction;

646 h. The applicant has ~~must~~ successfully passed ~~pass~~ a
647 written examination on the laws and rules of this state
648 regulating the practice of dentistry and ~~must successfully pass~~
649 the computer-based diagnostic skills examination; and

650 i. The applicant submits ~~must submit~~ documentation that he
651 or she has successfully completed the applicable examination
652 administered by the Joint Commission on National Dental
653 Examinations or its successor organization ~~National Board of~~
654 ~~Dental Examiners dental examination.~~

655 Section 13. Paragraph (b) of subsection (4) and paragraph
656 (a) of subsection (6) of section 466.007, Florida Statutes, are
657 amended to read:

658 466.007 Examination of dental hygienists.—

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

662 (b) A practical or clinical examination approved by the
663 board. The examination shall be the Dental Hygiene Examination
664 produced by the American Board of Dental Examiners, Inc. (ADEX)
665 or its successor entity, if any, if the board finds that the
666 successor entity's clinical examination meets or exceeds the
667 provisions of this section. The board shall approve the ADEX

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668 Dental Hygiene Examination if the board has attained and
669 continues to maintain representation on the ADEX House of
670 Representatives, the ADEX Dental Hygiene Examination Development
671 Committee, and such other ADEX Dental Hygiene committees as the
672 board deems appropriate through rulemaking to ensure that the
673 standards established in this section are maintained
674 organizationally. The ADEX Dental Hygiene Examination or the
675 examination produced by its successor entity is a comprehensive
676 examination in which an applicant must demonstrate skills within
677 the dental hygiene scope of practice on a live patient and any
678 other components that the board deems necessary for the
679 applicant to successfully demonstrate competency for the purpose
680 of licensure. ~~The ADEX Dental Hygiene Examination or the~~
681 ~~examination by the successor entity administered in this state~~
682 ~~shall be graded by dentists and dental hygienists licensed in~~
683 ~~this state who are employed by the department for this purpose.~~

684 (6) (a) A passing score on the ADEX Dental Hygiene
685 Examination administered out of state must ~~shall~~ be considered
686 the same as a passing score for the ADEX Dental Hygiene
687 Examination administered in this state ~~and graded by licensed~~
688 ~~dentists and dental hygienists.~~

689 Section 14. Subsections (9) through (15) are added to
690 section 466.017, Florida Statutes, to read:

691 466.017 Prescription of drugs; anesthesia.—

692 (9) Any adverse incident that occurs in an office
693 maintained by a dentist must be reported to the department. The
694 required notification to the department must be submitted in
695 writing by certified mail and postmarked within 48 hours after
696 the incident occurs.

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697 (10) A dentist practicing in this state must notify the
698 board in writing by certified mail within 48 hours after any
699 adverse incident that occurs in the dentist's outpatient
700 facility. A complete written report must be filed with the board
701 within 30 days after the incident occurs.

702 (11) Any certified registered dental hygienist
703 administering local anesthesia must notify the board in writing
704 by registered mail within 48 hours of any adverse incident that
705 was related to or the result of the administration of local
706 anesthesia. A complete written report must be filed with the
707 board within 30 days after the mortality or other adverse
708 incident.

709 (12) A failure by the dentist or dental hygienist to timely
710 and completely comply with all the reporting requirements in
711 this section is the basis for disciplinary action by the board
712 pursuant to s. 466.028(1).

713 (13) The department shall review each adverse incident and
714 determine whether it involved conduct by a health care
715 professional subject to disciplinary action, in which case s.
716 456.073 applies. Disciplinary action, if any, shall be taken by
717 the board under which the health care professional is licensed.

718 (14) As used in subsections (9)-(13), the term "adverse
719 incident" means any mortality that occurs during or as the
720 result of a dental procedure, or an incident that results in a
721 temporary or permanent physical or mental injury that requires
722 hospitalization or emergency room treatment of a dental patient
723 which occurs during or as a direct result of the use of general
724 anesthesia, deep sedation, moderate sedation, pediatric moderate
725 sedation, oral sedation, minimal sedation (anxiolysis), nitrous

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726 oxide, or local anesthesia.

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

728 Section 15. Section 466.031, Florida Statutes, is amended
729 to read:

730 466.031 "Dental laboratory" defined.—As used in this
731 chapter, the term "dental laboratory" ~~as used in this chapter:~~

732 ~~(1)~~ includes any person, firm, or corporation that who
733 performs for a fee of any kind, gratuitously, or otherwise,
734 directly or through an agent or an employee, by any means or
735 method, or ~~who in any way~~ supplies or manufactures artificial
736 substitutes for the natural teeth; ~~or who~~ furnishes, supplies,
737 constructs, or reproduces or repairs any prosthetic denture,
738 bridge, or appliance to be worn in the human mouth; provides
739 onsite consultation during dental procedures; or ~~who~~ in any way
740 represents ~~holds~~ itself ~~out~~ as a dental laboratory.

741 ~~(2)~~ The term does not include a ~~Excludes any~~ dental
742 laboratory technician who constructs or repairs dental
743 prosthetic appliances in the office of a licensed dentist
744 exclusively for that ~~such~~ dentist ~~only and~~ under her or his
745 supervision and work order.

746 Section 16. Section 466.036, Florida Statutes, is amended
747 to read:

748 466.036 Information; periodic inspections; equipment and
749 supplies.—The department may require from the applicant for a
750 registration certificate to operate a dental laboratory any
751 information necessary to carry out the purpose of this chapter,
752 including proof that the applicant has the equipment and
753 supplies necessary to operate as determined by rule of the
754 department, and shall require periodic inspection of all dental

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755 laboratories operating in this state at least once each biennial
756 registration period. Such inspections must ~~shall~~ include, but
757 need not be limited to, inspection of sanitary conditions,
758 equipment, supplies, and facilities on the premises. The
759 department shall specify dental equipment and supplies that are
760 not allowed ~~permitted~~ in a registered dental laboratory.

761 Section 17. Subsection (1) of section 468.701, Florida
762 Statutes, is amended to read:

763 468.701 Definitions.—As used in this part, the term:

764 (1) "Athletic trainer" means a person licensed under this
765 part who has met the requirements of ~~under~~ this part, including
766 the education requirements established ~~as set forth~~ by the
767 Commission on Accreditation of Athletic Training Education or
768 its successor organization and necessary credentials from the
769 Board of Certification. ~~An individual who is licensed as an~~
770 ~~athletic trainer may not provide, offer to provide, or represent~~
771 ~~that he or she is qualified to provide any care or services that~~
772 ~~he or she lacks the education, training, or experience to~~
773 ~~provide, or that he or she is otherwise prohibited by law from~~
774 ~~providing.~~

775 Section 18. Section 468.707, Florida Statutes, is amended
776 to read:

777 468.707 Licensure requirements.—Any person desiring to be
778 licensed as an athletic trainer shall apply to the department on
779 a form approved by the department. An applicant shall also
780 provide records or other evidence, as determined by the board,
781 to prove he or she has met the requirements of this section. The
782 department shall license each applicant who:

783 (1) Has completed the application form and remitted the

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784 required fees.

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

789 (3) (a) Has obtained, at a minimum, a baccalaureate ~~or~~
790 ~~higher~~ degree from a college or university professional athletic
791 training degree program accredited by the Commission on
792 Accreditation of Athletic Training Education or its successor
793 organization recognized and approved by the United States
794 Department of Education or the Commission on Recognition of
795 Postsecondary Accreditation, approved by the board, or
796 recognized by the Board of Certification, and has passed the
797 national examination to be certified by the Board of
798 Certification; or-

799 (b) ~~(4)~~ Has obtained, at a minimum, a bachelor's degree, has
800 completed the Board of Certification internship requirements,
801 and ~~If graduated before 2004,~~ has a current certification from
802 the Board of Certification.

803 (4) ~~(5)~~ Has current certification in both cardiopulmonary
804 resuscitation and the use of an automated external defibrillator
805 set forth in the continuing education requirements as determined
806 by the board pursuant to s. 468.711.

807 (5) ~~(6)~~ Has completed any other requirements as determined
808 by the department and approved by the board.

809 Section 19. Subsection (3) of section 468.711, Florida
810 Statutes, is amended to read:

811 468.711 Renewal of license; continuing education.—

812 (3) If initially licensed after January 1, 1998, the

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813 licensee must be currently certified by the Board of
814 Certification or its successor agency and maintain that
815 certification in good standing without lapse.

816 Section 20. Section 468.713, Florida Statutes, is amended
817 to read:

818 468.713 Responsibilities of athletic trainers.—

819 (1) An athletic trainer shall practice under the direction
820 of a physician licensed under chapter 458, chapter 459, chapter
821 460, or otherwise authorized by Florida law to practice
822 medicine. The physician shall communicate his or her direction
823 through oral or written prescriptions or protocols as deemed
824 appropriate by the physician for the provision of services and
825 care by the athletic trainer. An athletic trainer shall provide
826 service or care in the manner dictated by the physician.

827 (2) An athletic trainer shall work within his or her
828 allowable scope of practice as specified in board rule under s.
829 468.705. An athletic trainer may not provide, offer to provide,
830 or represent that he or she is qualified to provide any care or
831 services that he or she lacks the education, training, or
832 experience to provide, or that he or she is otherwise prohibited
833 by law from providing.

834 Section 21. Subsection (2) of section 468.723, Florida
835 Statutes, is amended to read:

836 468.723 Exemptions.—This part does not prohibit ~~prevent~~ or
837 restrict:

838 (2) An athletic training student acting under the direct
839 supervision of a licensed athletic trainer. For purposes of this
840 subsection, "direct supervision" means the physical presence of
841 an athletic trainer so that the athletic trainer is immediately

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842 available to the athletic training student and able to intervene
843 on behalf of the athletic training student. The supervision must
844 comply with board rule ~~in accordance with the standards set~~
845 ~~forth by the Commission on Accreditation of Athletic Training~~
846 ~~Education or its successor.~~

847 Section 22. Subsections (1), (3), and (4) of section
848 468.803, Florida Statutes, are amended to read:

849 468.803 License, registration, and examination
850 requirements.-

851 (1) The department shall issue a license to practice
852 orthotics, prosthetics, or pedorthics, or a registration for a
853 resident to practice orthotics or prosthetics, to qualified
854 applicants. Licenses to practice shall be granted independently
855 ~~in~~ orthotics, prosthetics, or pedorthics shall be granted
856 independently, but a person may be licensed in more than one
857 such discipline, and a prosthetist-orthotist license may be
858 granted to persons meeting the requirements for licensure both
859 as a prosthetist and as an orthotist ~~license~~. Registrations to
860 practice shall be granted independently in orthotics or
861 prosthetics shall be granted independently, and a person may be
862 registered in both disciplines fields at the same time or
863 jointly in orthotics and prosthetics as a dual registration.

864 (3) A person seeking to attain the ~~required~~ orthotics or
865 prosthetics experience required for licensure in this state must
866 be approved by the board and registered as a resident by the
867 department. Although a registration may be held in both
868 disciplines practice fields, for independent registrations the
869 board may ~~shall~~ not approve a second registration for ~~until~~ at
870 least 1 year after the issuance of the first registration.

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871 Notwithstanding subsection (2), a person ~~an applicant~~ who has
872 been approved by the board and registered by the department in
873 one discipline ~~practice field~~ may apply for registration in the
874 second discipline ~~practice field~~ without an additional state or
875 national criminal history check during the period in which the
876 first registration is valid. Each independent registration or
877 dual registration is valid for 2 years after ~~from~~ the date of
878 issuance unless otherwise revoked by the department upon
879 recommendation of the board. The board shall set a registration
880 fee not to exceed \$500 to be paid by the applicant. A
881 registration may be renewed once by the department upon
882 recommendation of the board for a period no longer than 1 year,
883 as such renewal is defined by the board by rule. The
884 ~~registration~~ renewal fee may ~~shall~~ not exceed one-half the
885 current registration fee. To be considered by the board for
886 approval of registration as a resident, the applicant must have
887 one of the following:

888 (a) A Bachelor of Science or higher-level postgraduate
889 degree in Orthotics and Prosthetics from a regionally accredited
890 college or university recognized by the Commission on
891 Accreditation of Allied Health Education Programs. ~~or, at~~

892 (b) A minimum ~~of~~ of a bachelor's degree from a regionally
893 accredited college or university and a certificate in orthotics
894 or prosthetics from a program recognized by the Commission on
895 Accreditation of Allied Health Education Programs, or its
896 equivalent, as determined by the board. ~~or~~

897 (c) A minimum of a bachelor's degree from a regionally
898 accredited college or university and a dual certificate in both
899 orthotics and prosthetics from programs recognized by the

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900 Commission on Accreditation of Allied Health Education Programs,
901 or its equivalent, as determined by the board.

902 ~~(b) A Bachelor of Science or higher-level postgraduate~~
903 ~~degree in Orthotics and Prosthetics from a regionally accredited~~
904 ~~college or university recognized by the Commission on~~
905 ~~Accreditation of Allied Health Education Programs or, at a~~
906 ~~minimum, a bachelor's degree from a regionally accredited~~
907 ~~college or university and a certificate in prosthetics from a~~
908 ~~program recognized by the Commission on Accreditation of Allied~~
909 ~~Health Education Programs, or its equivalent, as determined by~~
910 ~~the board.~~

911 (4) The department may develop and administer a state
912 examination for an orthotist or a prosthetist license, or the
913 board may approve the existing examination of a national
914 standards organization. The examination must be predicated on a
915 minimum of a baccalaureate-level education and formalized
916 specialized training in the appropriate field. Each examination
917 must demonstrate a minimum level of competence in basic
918 scientific knowledge, written problem solving, and practical
919 clinical patient management. The board shall require an
920 examination fee not to exceed the actual cost to the board in
921 developing, administering, and approving the examination, which
922 fee must be paid by the applicant. To be considered by the board
923 for examination, the applicant must have:

924 (a) For an examination in orthotics:

925 1. A Bachelor of Science or higher-level postgraduate
926 degree in Orthotics and Prosthetics from a regionally accredited
927 college or university recognized by the Commission on
928 Accreditation of Allied Health Education Programs or, at a

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929 minimum, a bachelor's degree from a regionally accredited
930 college or university and a certificate in orthotics from a
931 program recognized by the Commission on Accreditation of Allied
932 Health Education Programs, or its equivalent, as determined by
933 the board; and

934 2. An approved orthotics internship of 1 year of qualified
935 experience, as determined by the board, or an orthotic residency
936 or dual residency program recognized by the board.

937 (b) For an examination in prosthetics:

938 1. A Bachelor of Science or higher-level postgraduate
939 degree in Orthotics and Prosthetics from a regionally accredited
940 college or university recognized by the Commission on
941 Accreditation of Allied Health Education Programs or, at a
942 minimum, a bachelor's degree from a regionally accredited
943 college or university and a certificate in prosthetics from a
944 program recognized by the Commission on Accreditation of Allied
945 Health Education Programs, or its equivalent, as determined by
946 the board; and

947 2. An approved prosthetics internship of 1 year of
948 qualified experience, as determined by the board, or a
949 prosthetic residency or dual residency program recognized by the
950 board.

951 Section 23. Subsection (5) of section 480.033, Florida
952 Statutes, is amended to read:

953 480.033 Definitions.—As used in this act:

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

957 Section 24. Subsections (1) and (2) of section 480.041,

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958 Florida Statutes, are amended, and subsection (8) is added to
959 that section, to read:

960 480.041 Massage therapists; qualifications; licensure;
961 endorsement.—

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

964 (a) Is at least 18 years of age or has received a high
965 school diploma or high school equivalency diploma;

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

969 (c) Has received a passing grade on a national ~~an~~
970 examination designated ~~administered~~ by the board ~~department~~.

971 (2) Every person desiring to be examined for licensure as a
972 massage therapist shall apply to the department in writing upon
973 forms prepared and furnished by the department. Such applicants
974 are ~~shall be~~ subject to the provisions of s. 480.046(1).
975 ~~Applicants may take an examination administered by the~~
976 ~~department only upon meeting the requirements of this section as~~
977 ~~determined by the board.~~

978 (8) A person issued a license as a massage apprentice
979 before July 1, 2019, may continue that apprenticeship and
980 perform massage therapy as permitted under that license until it
981 expires. Upon completion of the apprenticeship, which must occur
982 before July 1, 2022, a massage apprentice may apply to the board
983 for full licensure and be granted a license if all other
984 applicable licensure requirements are met.

985 Section 25. Section 480.042, Florida Statutes, is repealed.

986 Section 26. Subsection (3) of section 480.046, Florida

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987 Statutes, is amended, and subsection (5) is added to that
988 section, to read:

989 480.046 Grounds for disciplinary action by the board.—

990 (3) The board may ~~shall have the power to~~ revoke or suspend
991 the license of a massage establishment licensed under this act,
992 or ~~to~~ deny subsequent licensure of such an establishment, if the
993 establishment is owned by an individual or entity that owned
994 another establishment whose license was revoked, upon a showing
995 of proof that, in either of the following cases:

996 (a) The current ~~Upon proof that~~ a license has been obtained
997 by fraud or misrepresentation.

998 (b) ~~Upon proof that~~ The holder of the a license is guilty
999 of fraud or deceit or of gross negligence, incompetency, or
1000 misconduct in the operation of the currently licensed
1001 establishment ~~so licensed~~.

1002 (c) The owner of the massage establishment or any
1003 individual or individuals providing massage therapy services
1004 within the establishment, in the aggregate or individually, have
1005 had three convictions of, or pleas of guilty or nolo contendere
1006 to, or dismissals of a criminal action after a successful
1007 completion of a pretrial intervention, diversion, or substance
1008 abuse program for any misdemeanor or felony, regardless of
1009 adjudication, a crime in any jurisdiction related to
1010 prostitution and related acts as defined in s. 796.07, which
1011 occurred at or within the currently licensed establishment.

1012 (5) An establishment that has been the subject of
1013 disciplinary action under this section may not apply for
1014 relicensure unless there is a change in ownership.

1015 Section 27. Subsection (3) of section 490.003, Florida

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1016 Statutes, is amended to read:

1017 490.003 Definitions.—As used in this chapter:

1018 ~~(3)(a) Prior to July 1, 1999, “doctoral-level psychological~~
1019 ~~education” and “doctoral degree in psychology” mean a Psy.D., an~~
1020 ~~Ed.D. in psychology, or a Ph.D. in psychology from:~~

1021 ~~1. An educational institution which, at the time the~~
1022 ~~applicant was enrolled and graduated, had institutional~~
1023 ~~accreditation from an agency recognized and approved by the~~
1024 ~~United States Department of Education or was recognized as a~~
1025 ~~member in good standing with the Association of Universities and~~
1026 ~~Colleges of Canada; and~~

1027 ~~2. A psychology program within that educational institution~~
1028 ~~which, at the time the applicant was enrolled and graduated, had~~
1029 ~~programmatic accreditation from an accrediting agency recognized~~
1030 ~~and approved by the United States Department of Education or was~~
1031 ~~comparable to such programs.~~

1032 ~~(b) Effective July 1, 1999, “doctoral-level psychological~~
1033 ~~education” and “doctoral degree in psychology” mean a Psy.D., an~~
1034 ~~Ed.D. in psychology, or a Ph.D. in psychology from:~~

1035 ~~1. a psychology program within~~ an educational institution
1036 that ~~which,~~ at the time the applicant was enrolled and
1037 graduated, had institutional accreditation from an agency
1038 recognized and approved by the United States Department of
1039 Education or was recognized as a member in good standing with
1040 the Association of Universities and Colleges of Canada. The
1041 psychology program must have had; and

1042 ~~2. A psychology program within that educational institution~~
1043 ~~which,~~ at the time the applicant was enrolled and graduated, ~~had~~
1044 programmatic accreditation from the American Psychological

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1045 ~~Association an agency recognized and approved by the United~~
 1046 ~~States Department of Education.~~

1047 Section 28. Paragraph (b) of subsection (1) and paragraph
 1048 (b) of subsection (2) of section 490.005, Florida Statutes, are
 1049 amended to read:

1050 490.005 Licensure by examination.—

1051 (1) Any person desiring to be licensed as a psychologist
 1052 shall apply to the department to take the licensure examination.
 1053 The department shall license each applicant who the board
 1054 certifies has:

1055 (b) Submitted proof satisfactory to the board that the
 1056 applicant has:

1057 1. Received doctoral-level psychological education, ~~as~~
 1058 ~~defined in s. 490.003(3);~~ or

1059 2. Received the equivalent of a doctoral-level
 1060 psychological education, as defined in s. 490.003(3), from a
 1061 program at a school or university located outside the United
 1062 States of America ~~and Canada,~~ which was officially recognized by
 1063 the government of the country in which it is located as an
 1064 institution or program to train students to practice
 1065 professional psychology. The applicant has the burden of
 1066 establishing that this requirement has the requirements of this
 1067 ~~provision have been met shall be upon the applicant;~~

1068 3. ~~Received and submitted to the board, prior to July 1,~~
 1069 ~~1999, certification of an augmented doctoral-level psychological~~
 1070 ~~education from the program director of a doctoral-level~~
 1071 ~~psychology program accredited by a programmatic agency~~
 1072 ~~recognized and approved by the United States Department of~~
 1073 ~~Education; or~~

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1074 ~~4. Received and submitted to the board, prior to August 31,~~
1075 ~~2001, certification of a doctoral-level program that at the time~~
1076 ~~the applicant was enrolled and graduated maintained a standard~~
1077 ~~of education and training comparable to the standard of training~~
1078 ~~of programs accredited by a programmatic agency recognized and~~
1079 ~~approved by the United States Department of Education. Such~~
1080 ~~certification of comparability shall be provided by the program~~
1081 ~~director of a doctoral-level psychology program accredited by a~~
1082 ~~programmatic agency recognized and approved by the United States~~
1083 ~~Department of Education.~~

1084 (2) Any person desiring to be licensed as a school
1085 psychologist shall apply to the department to take the licensure
1086 examination. The department shall license each applicant who the
1087 department certifies has:

1088 (b) Submitted satisfactory proof to the department that the
1089 applicant:

1090 1. Has received a doctorate, specialist, or equivalent
1091 degree from a program primarily psychological in nature and has
1092 completed 60 semester hours or 90 quarter hours of graduate
1093 study, in areas related to school psychology as defined by rule
1094 of the department, from a college or university which at the
1095 time the applicant was enrolled and graduated was accredited by
1096 an accrediting agency recognized and approved by the Council for
1097 Higher Education Accreditation or its successor organization
1098 ~~Commission on Recognition of Postsecondary Accreditation or from~~
1099 ~~an institution that which is publicly recognized as a member in~~
1100 ~~good standing with the Association of Universities and Colleges~~
1101 ~~of Canada.~~

1102 2. Has had a minimum of 3 years of experience in school

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1103 psychology, 2 years of which must be supervised by an individual
1104 who is a licensed school psychologist or who has otherwise
1105 qualified as a school psychologist supervisor, by education and
1106 experience, as set forth by rule of the department. A doctoral
1107 internship may be applied toward the supervision requirement.

1108 3. Has passed an examination provided by the department.

1109 Section 29. Subsection (1) of section 490.006, Florida
1110 Statutes, is amended to read:

1111 490.006 Licensure by endorsement.-

1112 (1) The department shall license a person as a psychologist
1113 or school psychologist who, upon applying to the department and
1114 remitting the appropriate fee, demonstrates to the department
1115 or, in the case of psychologists, to the board that the
1116 applicant:

1117 ~~(a) Holds a valid license or certificate in another state~~
1118 ~~to practice psychology or school psychology, as applicable,~~
1119 ~~provided that, when the applicant secured such license or~~
1120 ~~certificate, the requirements were substantially equivalent to~~
1121 ~~or more stringent than those set forth in this chapter at that~~
1122 ~~time; and, if no Florida law existed at that time, then the~~
1123 ~~requirements in the other state must have been substantially~~
1124 ~~equivalent to or more stringent than those set forth in this~~
1125 ~~chapter at the present time;~~

1126 (a) ~~(b)~~ Is a diplomate in good standing with the American
1127 Board of Professional Psychology, Inc.; or

1128 (b) ~~(c)~~ Possesses a doctoral degree in psychology ~~as~~
1129 ~~described in s. 490.003~~ and has at least 10 ~~20~~ years of
1130 experience as a licensed psychologist in any jurisdiction or
1131 territory of the United States within the 25 years preceding the

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1132 date of application.

1133 Section 30. Subsection (6) of section 491.0045, Florida
1134 Statutes, as amended by chapter 2016-80 and chapter 2016-241,
1135 Laws of Florida, is amended to read:

1136 491.0045 Intern registration; requirements.—

1137 (6) A registration issued on or before March 31, 2017,
1138 expires March 31, 2022, and may not be renewed or reissued. Any
1139 registration issued after March 31, 2017, expires 60 months
1140 after the date it is issued. The board may make a one-time
1141 exception from the requirements of this subsection in emergency
1142 or hardship cases, as defined by board rule, if ~~A subsequent~~
1143 ~~intern registration may not be issued unless~~ the candidate has
1144 passed the theory and practice examination described in s.
1145 491.005(1) (d), (3) (d), and (4) (d).

1146 Section 31. Subsections (3) and (4) of section 491.005,
1147 Florida Statutes, are amended to read:

1148 491.005 Licensure by examination.—

1149 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
1150 documentation and payment of a fee not to exceed \$200, as set by
1151 board rule, plus the actual cost of ~~to the department for the~~
1152 purchase of the examination from the Association of Marital and
1153 Family Therapy Regulatory Board, or similar national
1154 organization, the department shall issue a license as a marriage
1155 and family therapist to an applicant who the board certifies:

1156 (a) Has submitted an application and paid the appropriate
1157 fee.

1158 (b)1. Has a minimum of a master's degree with major
1159 emphasis in marriage and family therapy, ~~7~~ or a closely related
1160 field from a program accredited by the Commission on

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1161 Accreditation for Marriage and Family Therapy Education or from
1162 a Florida university program accredited by the Council for
1163 Accreditation of Counseling and Related Educational Programs,
1164 and graduate courses approved by the Board of Clinical Social
1165 Work, Marriage and Family Therapy, and Mental Health Counseling
1166 has completed all of the following requirements:

1167 a. ~~Thirty-six semester hours or 48 quarter hours of~~
1168 ~~graduate coursework, which must include a minimum of 3 semester~~
1169 ~~hours or 4 quarter hours of graduate-level course credits in~~
1170 ~~each of the following nine areas: dynamics of marriage and~~
1171 ~~family systems; marriage therapy and counseling theory and~~
1172 ~~techniques; family therapy and counseling theory and techniques;~~
1173 ~~individual human development theories throughout the life cycle;~~
1174 ~~personality theory or general counseling theory and techniques;~~
1175 ~~psychopathology; human sexuality theory and counseling~~
1176 ~~techniques; psychosocial theory; and substance abuse theory and~~
1177 ~~counseling techniques. Courses in research, evaluation,~~
1178 ~~appraisal, assessment, or testing theories and procedures;~~
1179 ~~thesis or dissertation work; or practicums, internships, or~~
1180 ~~fieldwork may not be applied toward this requirement.~~

1181 b. ~~A minimum of one graduate-level course of 3 semester~~
1182 ~~hours or 4 quarter hours in legal, ethical, and professional~~
1183 ~~standards issues in the practice of marriage and family therapy~~
1184 ~~or a course determined by the board to be equivalent.~~

1185 c. ~~A minimum of one graduate-level course of 3 semester~~
1186 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~
1187 ~~and testing for individual or interpersonal disorder or~~
1188 ~~dysfunction; and a minimum of one 3-semester-hour or 4-quarter-~~
1189 ~~hour graduate-level course in behavioral research which focuses~~

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1190 ~~on the interpretation and application of research data as it~~
1191 ~~applies to clinical practice. Credit for thesis or dissertation~~
1192 ~~work, practicums, internships, or fieldwork may not be applied~~
1193 ~~toward this requirement.~~

1194 ~~d. A minimum of one supervised clinical practicum,~~
1195 ~~internship, or field experience in a marriage and family~~
1196 ~~counseling setting, during which the student provided 180 direct~~
1197 ~~client contact hours of marriage and family therapy services~~
1198 ~~under the supervision of an individual who met the requirements~~
1199 ~~for supervision under paragraph (c). This requirement may be met~~
1200 ~~by a supervised practice experience which took place outside the~~
1201 ~~academic arena, but which is certified as equivalent to a~~
1202 ~~graduate-level practicum or internship program which required a~~
1203 ~~minimum of 180 direct client contact hours of marriage and~~
1204 ~~family therapy services currently offered within an academic~~
1205 ~~program of a college or university accredited by an accrediting~~
1206 ~~agency approved by the United States Department of Education, or~~
1207 ~~an institution which is publicly recognized as a member in good~~
1208 ~~standing with the Association of Universities and Colleges of~~
1209 ~~Canada or a training institution accredited by the Commission on~~
1210 ~~Accreditation for Marriage and Family Therapy Education~~
1211 ~~recognized by the United States Department of Education.~~
1212 ~~Certification shall be required from an official of such~~
1213 ~~college, university, or training institution.~~

1214 ~~2. If the course title that ~~which~~ appears on the~~
1215 ~~applicant's transcript does not clearly identify the content of~~
1216 ~~the coursework, the applicant shall ~~be required to~~ provide~~
1217 ~~additional documentation, including, but not limited to, a~~
1218 ~~syllabus or catalog description published for the course.~~

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1219
1220 The required master's degree must have been received in an
1221 institution of higher education which, at the time the applicant
1222 graduated, ~~was~~ fully accredited by a regional accrediting body
1223 recognized by the Commission on Recognition of Postsecondary
1224 Accreditation or publicly recognized as a member in good
1225 standing with the Association of Universities and Colleges of
1226 Canada, ~~or~~ or an institution of higher education located outside
1227 the United States and Canada, ~~which,~~ at the time the applicant
1228 was enrolled and at the time the applicant graduated, maintained
1229 a standard of training substantially equivalent to the standards
1230 of training of those institutions in the United States which are
1231 accredited by a regional accrediting body recognized by the
1232 Commission on Recognition of Postsecondary Accreditation. Such
1233 foreign education and training must have been received in an
1234 institution or program of higher education officially recognized
1235 by the government of the country in which it is located as an
1236 institution or program to train students to practice as
1237 professional marriage and family therapists or psychotherapists.
1238 The applicant has the burden of establishing that the
1239 requirements of this provision have been met ~~shall be upon the~~
1240 ~~applicant,~~ and the board shall require documentation, such as, ~~and~~
1241 ~~but not limited to,~~ an evaluation by a foreign equivalency
1242 determination service, as evidence that the applicant's graduate
1243 degree program and education were equivalent to an accredited
1244 program in this country. An applicant with a master's degree
1245 from a program that ~~which~~ did not emphasize marriage and family
1246 therapy may complete the coursework requirement in a training
1247 institution fully accredited by the Commission on Accreditation

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1248 for Marriage and Family Therapy Education recognized by the
1249 United States Department of Education.

1250 (c) Has had at least 2 years of clinical experience during
1251 which 50 percent of the applicant's clients were receiving
1252 marriage and family therapy services, which must be at the post-
1253 master's level under the supervision of a licensed marriage and
1254 family therapist with at least 5 years of experience, or the
1255 equivalent, who is a qualified supervisor as determined by the
1256 board. An individual who intends to practice in Florida to
1257 satisfy the clinical experience requirements must register
1258 pursuant to s. 491.0045 before commencing practice. If a
1259 graduate has a master's degree with a major emphasis in marriage
1260 and family therapy or a closely related field which ~~that~~ did not
1261 include all of the coursework required by subparagraph (b)1.
1262 ~~under sub-subparagraphs (b)1.a.-e.,~~ credit for the post-master's
1263 level clinical experience may ~~shall~~ not commence until the
1264 applicant has completed a minimum of 10 of the courses required
1265 by subparagraph (b)1. ~~under sub-subparagraphs (b)1.a.-e.,~~ as
1266 determined by the board, and at least 6 semester hours or 9
1267 quarter hours of the course credits must have been completed in
1268 the area of marriage and family systems, theories, or
1269 techniques. Within the 2 ~~3~~ years of required experience, the
1270 applicant shall provide direct individual, group, or family
1271 therapy and counseling, ~~to include the following categories of~~
1272 cases including those involving unmarried dyads, married
1273 couples, separating and divorcing couples, and family groups
1274 that include ~~including~~ children. A doctoral internship may be
1275 applied toward the clinical experience requirement. A licensed
1276 mental health professional must be on the premises when clinical

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1277 services are provided by a registered intern in a private
1278 practice setting.

1279 (d) Has passed a theory and practice examination provided
1280 by the department ~~for this purpose~~.

1281 (e) Has demonstrated, in a manner designated by board rule
1282 ~~of the board~~, knowledge of the laws and rules governing the
1283 practice of clinical social work, marriage and family therapy,
1284 and mental health counseling.

1285 ~~(f)~~

1286

1287 For the purposes of dual licensure, the department shall license
1288 as a marriage and family therapist any person who meets the
1289 requirements of s. 491.0057. Fees for dual licensure may ~~shall~~
1290 not exceed those stated in this subsection.

1291 (4) MENTAL HEALTH COUNSELING.—Upon verification of
1292 documentation and payment of a fee not to exceed \$200, as set by
1293 board rule, plus the actual per applicant cost of ~~to the~~
1294 ~~department for~~ purchase of the examination from the National
1295 Board for Certified Counselors or its successor ~~Professional~~
1296 ~~Examination Service for the National Academy of Certified~~
1297 ~~Clinical Mental Health Counselors or a similar national~~
1298 organization, the department shall issue a license as a mental
1299 health counselor to an applicant who the board certifies:

1300 (a) Has submitted an application and paid the appropriate
1301 fee.

1302 (b)1. Has a minimum of an earned master's degree from a
1303 mental health counseling program accredited by the Council for
1304 the Accreditation of Counseling and Related Educational Programs
1305 that consists of at least 60 semester hours or 80 quarter hours

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1306 of clinical and didactic instruction, including a course in
1307 human sexuality and a course in substance abuse. If the master's
1308 degree is earned from a program related to the practice of
1309 mental health counseling that is not accredited by the Council
1310 for the Accreditation of Counseling and Related Educational
1311 Programs, then the coursework and practicum, internship, or
1312 fieldwork must consist of at least 60 semester hours or 80
1313 quarter hours and meet all of the following requirements:

1314 a. Thirty-three semester hours or 44 quarter hours of
1315 graduate coursework, which must include a minimum of 3 semester
1316 hours or 4 quarter hours of graduate-level coursework in each of
1317 the following 11 content areas: counseling theories and
1318 practice; human growth and development; diagnosis and treatment
1319 of psychopathology; human sexuality; group theories and
1320 practice; individual evaluation and assessment; career and
1321 lifestyle assessment; research and program evaluation; social
1322 and cultural foundations; substance abuse; and legal, ethical,
1323 and professional standards issues in the practice of mental
1324 health counseling in community settings; and substance abuse.
1325 Courses in research, thesis or dissertation work, practicums,
1326 internships, or fieldwork may not be applied toward this
1327 requirement.

1328 b. A minimum of 3 semester hours or 4 quarter hours of
1329 graduate-level coursework addressing diagnostic processes,
1330 including differential diagnosis and the use of the current
1331 diagnostic tools, such as the current edition of the American
1332 Psychiatric Association's Diagnostic and Statistical Manual of
1333 Mental Disorders. The graduate program must have emphasized the
1334 common core curricular experience in legal, ethical, and

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1335 ~~professional standards issues in the practice of mental health~~
1336 ~~counseling, which includes goals, objectives, and practices of~~
1337 ~~professional counseling organizations, codes of ethics, legal~~
1338 ~~considerations, standards of preparation, certifications and~~
1339 ~~licensing, and the role identity and professional obligations of~~
1340 ~~mental health counselors. Courses in research, thesis or~~
1341 ~~dissertation work, practicums, internships, or fieldwork may not~~
1342 ~~be applied toward this requirement.~~

1343 c. The equivalent, as determined by the board, of at least
1344 700 ~~1,000~~ hours of university-sponsored supervised clinical
1345 practicum, internship, or field experience that includes at
1346 least 280 hours of direct client services, as required in the
1347 accrediting standards of the Council for Accreditation of
1348 Counseling and Related Educational Programs for mental health
1349 counseling programs. This experience may not be used to satisfy
1350 the post-master's clinical experience requirement.

1351 2. Has provided additional documentation if a the course
1352 title that ~~which~~ appears on the applicant's transcript does not
1353 clearly identify the content of the coursework.7 ~~The applicant~~
1354 ~~shall be required to provide additional documentation~~ must
1355 include, including, but is not limited to, a syllabus or catalog
1356 description published for the course.

1357
1358 Education and training in mental health counseling must have
1359 been received in an institution of higher education that, which
1360 at the time the applicant graduated, ~~was~~ fully accredited by a
1361 regional accrediting body recognized by the Council for Higher
1362 Education Accreditation or its successor organization or
1363 ~~Commission on Recognition of Postsecondary Accreditation;~~

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1364 publicly recognized as a member in good standing with the
1365 Association of Universities and Colleges of Canada,† or an
1366 institution of higher education located outside the United
1367 States and Canada~~†~~ which,‡ at the time the applicant was enrolled
1368 and at the time the applicant graduated,‡ maintained a standard
1369 of training substantially equivalent to the standards of
1370 training of those institutions in the United States which are
1371 accredited by a regional accrediting body recognized by the
1372 Council for Higher Education Accreditation or its successor
1373 organization ~~Commission on Recognition of Postsecondary~~
1374 ~~Accreditation~~. Such foreign education and training must have
1375 been received in an institution or program of higher education
1376 officially recognized by the government of the country in which
1377 it is located as an institution or program to train students to
1378 practice as mental health counselors. The applicant has the
1379 burden of establishing that the requirements of this provision
1380 have been met ~~shall be upon the applicant~~, and the board shall
1381 require documentation, such as~~†~~ ~~but not limited to~~, an
1382 evaluation by a foreign equivalency determination service, as
1383 evidence that the applicant's graduate degree program and
1384 education were equivalent to an accredited program in this
1385 country. Beginning July 1, 2024, an applicant must have a
1386 master's degree from a program that is accredited by the Council
1387 for Accreditation of Counseling and Related Educational Programs
1388 which consists of at least 60 semester hours or 80 quarter hours
1389 to apply for licensure under this paragraph.

1390 (c) Has had at least 2 years of clinical experience in
1391 mental health counseling, which must be at the post-master's
1392 level under the supervision of a licensed mental health

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1393 counselor or the equivalent who is a qualified supervisor as
1394 determined by the board. An individual who intends to practice
1395 in Florida to satisfy the clinical experience requirements must
1396 register pursuant to s. 491.0045 before commencing practice. If
1397 a graduate has a master's degree with a major related to the
1398 practice of mental health counseling which ~~that~~ did not include
1399 all the coursework required under sub-subparagraphs (b)1.a. and
1400 b. ~~(b)1.a. b.~~, credit for the post-master's level clinical
1401 experience may ~~shall~~ not commence until the applicant has
1402 completed a minimum of seven of the courses required under sub-
1403 subparagraphs (b)1.a. and b. ~~(b)1.a. b.~~, as determined by the
1404 board, one of which must be a course in psychopathology or
1405 abnormal psychology. A doctoral internship may be applied toward
1406 the clinical experience requirement. A licensed mental health
1407 professional must be on the premises when clinical services are
1408 provided by a registered intern in a private practice setting.

1409 (d) Has passed a theory and practice examination provided
1410 by the department for this purpose.

1411 (e) Has demonstrated, in a manner designated by board rule
1412 ~~of the board~~, knowledge of the laws and rules governing the
1413 practice of clinical social work, marriage and family therapy,
1414 and mental health counseling.

1415 Section 32. Paragraph (b) of subsection (1) of section
1416 491.006, Florida Statutes, is amended to read:

1417 491.006 Licensure or certification by endorsement.—

1418 (1) The department shall license or grant a certificate to
1419 a person in a profession regulated by this chapter who, upon
1420 applying to the department and remitting the appropriate fee,
1421 demonstrates to the board that he or she:

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1422 (b)1. Holds an active valid license to practice and has
1423 actively practiced the licensed profession ~~for which licensure~~
1424 ~~is applied~~ in another state for 3 of the last 5 years
1425 immediately preceding licensure;;~~-~~

1426 ~~2. Meets the education requirements of this chapter for the~~
1427 ~~profession for which licensure is applied.~~

1428 ~~2.3.~~ Has passed a substantially equivalent licensing
1429 examination in another state or has passed the licensure
1430 examination in this state in the profession for which the
1431 applicant seeks licensure;; ~~and.~~

1432 ~~3.4.~~ Holds a license in good standing, is not under
1433 investigation for an act that would constitute a violation of
1434 this chapter, and has not been found to have committed any act
1435 that would constitute a violation of this chapter.

1436
1437 The fees paid by any applicant for certification as a master
1438 social worker under this section are nonrefundable.

1439 Section 33. Subsection (3) of section 491.007, Florida
1440 Statutes, is amended to read:

1441 491.007 Renewal of license, registration, or certificate.-

1442 ~~(3) The board or department shall prescribe by rule a~~
1443 ~~method for the biennial renewal of an intern registration at a~~
1444 ~~fee set by rule, not to exceed \$100.~~

1445 Section 34. Subsection (2) of section 491.009, Florida
1446 Statutes, is amended to read:

1447 491.009 Discipline.-

1448 (2) The board ~~department,~~ or, in the case of certified
1449 master social workers ~~psychologists,~~ the department ~~board,~~ may
1450 enter an order denying licensure or imposing any of the

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1451 penalties authorized in s. 456.072(2) against any applicant for
1452 licensure or licensee who is found guilty of violating any
1453 provision of subsection (1) of this section or who is found
1454 guilty of violating any provision of s. 456.072(1).

1455 Section 35. Paragraph (c) of subsection (2) of section
1456 491.0046, Florida Statutes, is amended to read:

1457 491.0046 Provisional license; requirements.-

1458 (2) The department shall issue a provisional clinical
1459 social worker license, provisional marriage and family therapist
1460 license, or provisional mental health counselor license to each
1461 applicant who the board certifies has:

1462 (c) ~~Has~~ Met the following minimum coursework requirements:

1463 1. For clinical social work, a minimum of 15 semester hours
1464 or 22 quarter hours of the coursework required by s.
1465 491.005(1)(b)2.b.

1466 2. For marriage and family therapy, 10 of the courses
1467 required by s. 491.005(3)(b)1. ~~s. 491.005(3)(b)1.a.-c.~~, as
1468 determined by the board, and at least 6 semester hours or 9
1469 quarter hours of the course credits must have been completed in
1470 the area of marriage and family systems, theories, or
1471 techniques.

1472 3. For mental health counseling, a minimum of seven of the
1473 courses required under s. 491.005(4)(b)1.a.-c.

1474 Section 36. Subsection (11) of section 945.42, Florida
1475 Statutes, is amended to read:

1476 945.42 Definitions; ss. 945.40-945.49.-As used in ss.
1477 945.40-945.49, the following terms shall have the meanings
1478 ascribed to them, unless the context shall clearly indicate
1479 otherwise:

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1480 (11) "Psychological professional" means a behavioral
1481 practitioner who has an approved doctoral degree in psychology
1482 as defined in s. 490.003(3) ~~s. 490.003(3)(b)~~ and is employed by
1483 the department or who is licensed as a psychologist pursuant to
1484 chapter 490.

1485 Section 37. This act shall take effect July 1, 2019.