

1                   A bill to be entitled  
2           An act relating to the Department of Health; amending  
3           s. 400.93, F.S.; exempting allopathic, osteopathic,  
4           and chiropractic physicians who sell or rent  
5           electrostimulation medical equipment and supplies  
6           therefor from licensure requirements under certain  
7           circumstances; creating s. 456.4501, F.S.;  
8           implementing the Interstate Medical Licensure Compact  
9           in this state; providing for an interstate medical  
10          licensure process; providing requirements for  
11          multistate practice; creating s. 456.4502, F.S.;  
12          establishing that a formal hearing before the Division  
13          of Administrative Hearings must be held if there are  
14          any disputed issues of material fact when the licenses  
15          of certain physicians and osteopathic physicians are  
16          suspended or revoked by this state under the compact;  
17          requiring the department to notify the division of a  
18          petition for a formal hearing within a specified  
19          timeframe; requiring the administrative law judge to  
20          issue a recommended order; requiring the Board of  
21          Medicine or the Board of Osteopathic Medicine, as  
22          applicable, to determine and issue final orders in  
23          certain cases; providing the department with standing  
24          to seek judicial review of any final order of the  
25          boards; creating s. 456.4504, F.S.; authorizing the

26 | department to adopt rules; creating s. 456.48, F.S.;

27 | providing a definition for the term "health insurer";

28 | requiring the Financial Services Commission, in

29 | consultation with the Agency for Health Care

30 | Administration, to adopt a certain standard form by

31 | rule for the verification of credentials of specified

32 | health care professionals; requiring health insurers

33 | and hospitals to use only such form after a specified

34 | date; creating s. 456.481, F.S.; providing definitions

35 | and applicability; specifying requirements for

36 | applicants to qualify for expedited credentialing and

37 | certain payments; requiring managed care plans to

38 | treat applicants as participating providers in their

39 | respective health benefit plan networks for certain

40 | purposes; authorizing a managed care plan to exclude

41 | applicants from its participating provider directory

42 | or listings while their applications are pending

43 | approval; specifying a managed care plan's right to

44 | recover certain amounts from an applicant under

45 | certain circumstances; prohibiting an applicant or the

46 | applicant's medical group from charging a managed care

47 | plan enrollee certain fees; providing construction;

48 | creating s. 458.3129, F.S.; establishing that a

49 | physician licensed under the Interstate Medical

50 | Licensure Compact is deemed to be licensed under

51 chapter 458, F.S.; creating s. 459.074, F.S.;

52 establishing that an osteopathic physician licensed

53 under the Interstate Medical Licensure Compact is

54 deemed to be licensed under chapter 459, F.S.;

55 amending s. 491.003, F.S.; providing definitions;

56 amending s. 491.004, F.S.; deleting an obsolete

57 provision; amending s. 491.0045, F.S.; revising intern

58 registration requirements; providing an exception;

59 amending s. 491.005, F.S.; revising the licensure

60 requirements for clinical social workers, marriage and

61 family therapists, and mental health counselors;

62 amending s. 491.0057, F.S.; requiring that an

63 applicant for dual licensure as a marriage and family

64 therapist pass an examination designated by the Board

65 of Clinical Social Work, Marriage and Family Therapy,

66 and Mental Health Counseling; amending s. 491.006,

67 F.S.; revising requirements for licensure or

68 certification by endorsement for certain professions;

69 repealing s. 491.0065, F.S., relating to requirements

70 for instruction on HIV and AIDS; amending s. 491.007,

71 F.S.; deleting a provision providing certified master

72 social workers an exemption from continuing education

73 requirements; deleting a provision requiring the board

74 to establish a procedure for the biennial renewal of

75 intern registrations; amending s. 491.009, F.S.;

76 | revising who may enter an order denying licensure or  
77 | imposing penalties against an applicant for licensure  
78 | under certain circumstances; amending s. 491.012,  
79 | F.S.; providing that using the title "certified master  
80 | social worker" without a valid, active license is  
81 | unlawful; amending s. 491.0145, F.S.; requiring the  
82 | department to license an applicant for designation as  
83 | a certified master social worker under certain  
84 | circumstances; providing that applicants for  
85 | designation as a certified master social worker submit  
86 | their application to the board; deleting a provision  
87 | relating to the nonrefundable fee for examination set  
88 | by department rule; authorizing the board to adopt  
89 | rules; amending s. 491.0149, F.S.; requiring the use  
90 | of applicable professional titles by specified  
91 | licensees and registrants on social media and other  
92 | specified materials; repealing s. 491.015, F.S.,  
93 | relating to duties of the department as to certified  
94 | master social workers; creating s. 627.444, F.S.;  
95 | providing a definition for the term "health insurer";  
96 | specifying requirements and procedures for, and  
97 | restrictions on, health insurers and their designees  
98 | in reviewing credentialing applications; authorizing a  
99 | civil cause of action for applicants against health  
100 | insurers or designees under certain circumstances;

101 amending s. 768.28, F.S.; designating the state  
 102 commissioners of the Interstate Medical Licensure  
 103 Compact Commission and other members or employees of  
 104 the commission as state agents for the purpose of  
 105 applying sovereign immunity and waivers of sovereign  
 106 immunity; requiring the commission to pay certain  
 107 claims or judgments; authorizing the commission to  
 108 maintain insurance coverage to pay such claims or  
 109 judgments; amending s. 414.065, F.S.; conforming a  
 110 cross-reference; providing an effective date.

111

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

113

114 Section 1. Paragraph (1) is added to subsection (5) of  
 115 section 400.93, Florida Statutes, to read:

116 400.93 Licensure required; exemptions; unlawful acts;  
 117 penalties.—

118 (5) The following are exempt from home medical equipment  
 119 provider licensure, unless they have a separate company,  
 120 corporation, or division that is in the business of providing  
 121 home medical equipment and services for sale or rent to  
 122 consumers at their regular or temporary place of residence  
 123 pursuant to the provisions of this part:

124 (1) Physicians licensed under chapter 458, chapter 459, or  
 125 chapter 460 for the sale or rental of electrostimulation medical

126 equipment and electrostimulation medical equipment supplies to  
 127 their patients in the course of their practice.

128 Section 2. Section 456.4501, Florida Statutes, is created  
 129 to read:

130 456.4501 Interstate Medical Licensure Compact.—The  
 131 Interstate Medical Licensure Compact is hereby enacted into law  
 132 and entered into by this state with all other jurisdictions  
 133 legally joining therein in the form substantially as follows:

134  
 135 SECTION 1

136 PURPOSE

137  
 138 In order to strengthen access to health care, and in  
 139 recognition of the advances in the delivery of health care, the  
 140 member states of the Interstate Medical Licensure Compact have  
 141 allied in common purpose to develop a comprehensive process that  
 142 complements the existing licensing and regulatory authority of  
 143 state medical boards, provides a streamlined process that allows  
 144 physicians to become licensed in multiple states, thereby  
 145 enhancing the portability of a medical license and ensuring the  
 146 safety of patients. The Compact creates another pathway for  
 147 licensure and does not otherwise change a state's existing  
 148 Medical Practice Act. The Compact also adopts the prevailing  
 149 standard for licensure and affirms that the practice of medicine  
 150 occurs where the patient is located at the time of the

151 physician-patient encounter, and therefore, requires the  
152 physician to be under the jurisdiction of the state medical  
153 board where the patient is located. State medical boards that  
154 participate in the Compact retain the jurisdiction to impose an  
155 adverse action against a license to practice medicine in that  
156 state issued to a physician through the procedures in the  
157 Compact.

158  
159 SECTION 2

160 DEFINITIONS

161  
162 In this compact:

163 (a) "Bylaws" means those bylaws established by the  
164 Interstate Commission pursuant to Section 11 for its governance,  
165 or for directing and controlling its actions and conduct.

166 (b) "Commissioner" means the voting representative  
167 appointed by each member board pursuant to Section 11.

168 (c) "Conviction" means a finding by a court that an  
169 individual is guilty of a criminal offense through adjudication,  
170 or entry of a plea of guilt or no contest to the charge by the  
171 offender. Evidence of an entry of a conviction of a criminal  
172 offense by the court shall be considered final for purposes of  
173 disciplinary action by a member board.

174 (d) "Expedited License" means a full and unrestricted  
175 medical license granted by a member state to an eligible

176 physician through the process set forth in the Compact.

177 (e) "Interstate Commission" means the interstate  
178 commission created pursuant to Section 11.

179 (f) "License" means authorization by a state for a  
180 physician to engage in the practice of medicine, which would be  
181 unlawful without the authorization.

182 (g) "Medical Practice Act" means laws and regulations  
183 governing the practice of allopathic and osteopathic medicine  
184 within a member state.

185 (h) "Member Board" means a state agency in a member state  
186 that acts in the sovereign interests of the state by protecting  
187 the public through licensure, regulation, and education of  
188 physicians as directed by the state government.

189 (i) "Member State" means a state that has enacted the  
190 Compact.

191 (j) "Practice of medicine" means the diagnosis, treatment,  
192 prevention, cure, or relieving of a human disease, ailment,  
193 defect, complaint, or other physical or mental condition, by  
194 attendance, advice, device, diagnostic test, or other means, or  
195 offering, undertaking, attempting to do, or holding oneself out  
196 as able to do, any of these acts.

197 (k) "Physician" means any person who:

198 (1) Is a graduate of a medical school accredited by the  
199 Liaison Committee on Medical Education, the Commission on  
200 Osteopathic College Accreditation, or a medical school listed in



201 the International Medical Education Directory or its equivalent;

202 (2) Passed each component of the United States Medical  
203 Licensing Examination (USMLE) or the Comprehensive Osteopathic  
204 Medical Licensing Examination (COMLEX-USA) within three  
205 attempts, or any of its predecessor examinations accepted by a  
206 state medical board as an equivalent examination for licensure  
207 purposes;

208 (3) Successfully completed graduate medical education  
209 approved by the Accreditation Council for Graduate Medical  
210 Education or the American Osteopathic Association;

211 (4) Holds specialty certification or a time-unlimited  
212 specialty certificate recognized by the American Board of  
213 Medical Specialties or the American Osteopathic Association's  
214 Bureau of Osteopathic Specialists; however, the specialty  
215 certification or a time-unlimited specialty certificate does not  
216 have to be maintained once a physician is initially determined  
217 to be eligible for expedited licensure through the Compact;

218 (5) Possesses a full and unrestricted license to engage in  
219 the practice of medicine issued by a member board;

220 (6) Has never been convicted, received adjudication,  
221 deferred adjudication, community supervision, or deferred  
222 disposition for any offense by a court of appropriate  
223 jurisdiction;

224 (7) Has never held a license authorizing the practice of  
225 medicine subjected to discipline by a licensing agency in any

226 state, federal, or foreign jurisdiction, excluding any action  
227 related to non-payment of fees related to a license;

228 (8) Has never had a controlled substance license or permit  
229 suspended or revoked by a state or the United States Drug  
230 Enforcement Administration; and

231 (9) Is not under active investigation by a licensing  
232 agency or law enforcement authority in any state, federal, or  
233 foreign jurisdiction.

234 (l) "Offense" means a felony, high court misdemeanor, or  
235 crime of moral turpitude.

236 (m) "Rule" means a written statement by the Interstate  
237 Commission promulgated pursuant to Section 12 of the Compact  
238 that is of general applicability, implements, interprets, or  
239 prescribes a policy or provision of the Compact, or an  
240 organizational, procedural, or practice requirement of the  
241 Interstate Commission, and has the force and effect of statutory  
242 law in a member state, if the rule is not inconsistent with the  
243 laws of the member state. The term includes the amendment,  
244 repeal, or suspension of an existing rule.

245 (n) "State" means any state, commonwealth, district, or  
246 territory of the United States.

247 (o) "State of Principal License" means a member state  
248 where a physician holds a license to practice medicine and which  
249 has been designated as such by the physician for purposes of  
250 registration and participation in the Compact.

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SECTION 3  
ELIGIBILITY

(a) A physician must meet the eligibility requirements as defined in Section 2(k) to receive an expedited license under the terms and provisions of the Compact.

(b) A physician who does not meet the requirements of Section 2(k) may obtain a license to practice medicine in a member state if the individual complies with all laws and requirements, other than the Compact, relating to the issuance of a license to practice medicine in that state.

SECTION 4  
DESIGNATION OF STATE OF PRINCIPAL LICENSE

(a) A physician shall designate a member state as the state of principal license for purposes of registration for expedited licensure through the Compact if the physician possesses a full and unrestricted license to practice medicine in that state, and the state is:

- (1) The state of primary residence for the physician, or
- (2) The state where at least 25% of the practice of medicine occurs, or
- (3) The location of the physician's employer, or

276 (4) If no state qualifies under subsection (1), subsection  
277 (2), or subsection (3), the state designated as state of  
278 residence for purpose of federal income tax.

279 (b) A physician may redesignate a member state as state of  
280 principal license at any time, as long as the state meets the  
281 requirements in subsection (a).

282 (c) The Interstate Commission is authorized to develop  
283 rules to facilitate redesignation of another member state as the  
284 state of principal license.

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286 SECTION 5

287 APPLICATION AND ISSUANCE OF EXPEDITED LICENSURE

288  
289 (a) A physician seeking licensure through the Compact  
290 shall file an application for an expedited license with the  
291 member board of the state selected by the physician as the state  
292 of principal license.

293 (b) Upon receipt of an application for an expedited  
294 license, the member board within the state selected as the state  
295 of principal license shall evaluate whether the physician is  
296 eligible for expedited licensure and issue a letter of  
297 qualification, verifying or denying the physician's eligibility,  
298 to the Interstate Commission.

299 (1) Static qualifications, which include verification of  
300 medical education, graduate medical education, results of any

301 medical or licensing examination, and other qualifications as  
302 determined by the Interstate Commission through rule, shall not  
303 be subject to additional primary source verification where  
304 already primary source verified by the state of principal  
305 license.

306 (2) The member board within the state selected as the  
307 state of principal license shall, in the course of verifying  
308 eligibility, perform a criminal background check of an  
309 applicant, including the use of the results of fingerprint or  
310 other biometric data checks compliant with the requirements of  
311 the Federal Bureau of Investigation, with the exception of  
312 federal employees who have suitability determination in  
313 accordance with U.S. 5 C.F.R. s. 731.202.

314 (3) Appeal on the determination of eligibility shall be  
315 made to the member state where the application was filed and  
316 shall be subject to the law of that state.

317 (c) Upon verification in subsection (b), physicians  
318 eligible for an expedited license shall complete the  
319 registration process established by the Interstate Commission to  
320 receive a license in a member state selected pursuant to  
321 subsection (a), including the payment of any applicable fees.

322 (d) After receiving verification of eligibility under  
323 subsection (b) and any fees under subsection (c), a member board  
324 shall issue an expedited license to the physician. This license  
325 shall authorize the physician to practice medicine in the

326 issuing state consistent with the Medical Practice Act and all  
327 applicable laws and regulations of the issuing member board and  
328 member state.

329 (e) An expedited license shall be valid for a period  
330 consistent with the licensure period in the member state and in  
331 the same manner as required for other physicians holding a full  
332 and unrestricted license within the member state.

333 (f) An expedited license obtained through the Compact  
334 shall be terminated if a physician fails to maintain a license  
335 in the state of principal licensure for a non-disciplinary  
336 reason, without redesignation of a new state of principal  
337 licensure.

338 (g) The Interstate Commission is authorized to develop  
339 rules regarding the application process, including payment of  
340 any applicable fees, and the issuance of an expedited license.

342 SECTION 6

343 FEEES FOR EXPEDITED LICENSURE

344  
345 (a) A member state issuing an expedited license  
346 authorizing the practice of medicine in that state, or the  
347 regulating authority of the member state, may impose a fee for a  
348 license issued or renewed through the Compact.

349 (b) The Interstate Commission is authorized to develop  
350 rules regarding fees for expedited licenses. However, those

351 rules shall not limit the authority of a member state, or the  
352 regulating authority of the member state, to impose and  
353 determine the amount of a fee under subsection (a).

355 SECTION 7

356 RENEWAL AND CONTINUED PARTICIPATION

357  
358 (a) A physician seeking to renew an expedited license  
359 granted in a member state shall complete a renewal process with  
360 the Interstate Commission if the physician:

361 (1) Maintains a full and unrestricted license in a state  
362 of principal license;

363 (2) Has not been convicted, received adjudication,  
364 deferred adjudication, community supervision, or deferred  
365 disposition for any offense by a court of appropriate  
366 jurisdiction;

367 (3) Has not had a license authorizing the practice of  
368 medicine subject to discipline by a licensing agency in any  
369 state, federal, or foreign jurisdiction, excluding any action  
370 related to non-payment of fees related to a license; and

371 (4) Has not had a controlled substance license or permit  
372 suspended or revoked by a state or the United States Drug  
373 Enforcement Administration.

374 (b) Physicians shall comply with all continuing  
375 professional development or continuing medical education

376 requirements for renewal of a license issued by a member state.

377 (c) The Interstate Commission shall collect any renewal  
378 fees charged for the renewal of a license and distribute the  
379 fees to the applicable member board.

380 (d) Upon receipt of any renewal fees collected in  
381 subsection (c), a member board shall renew the physician's  
382 license.

383 (e) Physician information collected by the Interstate  
384 Commission during the renewal process will be distributed to all  
385 member boards.

386 (f) The Interstate Commission is authorized to develop  
387 rules to address renewal of licenses obtained through the  
388 Compact.

390 SECTION 8

391 COORDINATED INFORMATION SYSTEM

393 (a) The Interstate Commission shall establish a database  
394 of all physicians licensed, or who have applied for licensure,  
395 under Section 5.

396 (b) Notwithstanding any other provision of law, member  
397 boards shall report to the Interstate Commission any public  
398 action or complaints against a licensed physician who has  
399 applied or received an expedited license through the Compact.

400 (c) Member boards shall report disciplinary or



401 investigatory information determined as necessary and proper by  
402 rule of the Interstate Commission.

403 (d) Member boards may report any non-public complaint,  
404 disciplinary, or investigatory information not required by  
405 subsection (c) to the Interstate Commission.

406 (e) Member boards shall share complaint or disciplinary  
407 information about a physician upon request of another member  
408 board.

409 (f) All information provided to the Interstate Commission  
410 or distributed by member boards shall be confidential, filed  
411 under seal, and used only for investigatory or disciplinary  
412 matters.

413 (g) The Interstate Commission is authorized to develop  
414 rules for mandated or discretionary sharing of information by  
415 member boards.

416  
417 SECTION 9

418 JOINT INVESTIGATIONS

419  
420 (a) Licensure and disciplinary records of physicians are  
421 deemed investigative.

422 (b) In addition to the authority granted to a member board  
423 by its respective Medical Practice Act or other applicable state  
424 law, a member board may participate with other member boards in  
425 joint investigations of physicians licensed by the member

426 | boards.

427 |       (c) A subpoena issued by a member state shall be  
 428 | enforceable in other member states.

429 |       (d) Member boards may share any investigative, litigation,  
 430 | or compliance materials in furtherance of any joint or  
 431 | individual investigation initiated under the Compact.

432 |       (e) Any member state may investigate actual or alleged  
 433 | violations of the statutes authorizing the practice of medicine  
 434 | in any other member state in which a physician holds a license  
 435 | to practice medicine.

437 |                                   SECTION 10

438 |                                   DISCIPLINARY ACTIONS

439 |  
 440 |       (a) Any disciplinary action taken by any member board  
 441 | against a physician licensed through the Compact shall be deemed  
 442 | unprofessional conduct which may be subject to discipline by  
 443 | other member boards, in addition to any violation of the Medical  
 444 | Practice Act or regulations in that state.

445 |       (b) If a license granted to a physician by the member  
 446 | board in the state of principal license is revoked, surrendered  
 447 | or relinquished in lieu of discipline, or suspended, then all  
 448 | licenses issued to the physician by member boards shall  
 449 | automatically be placed, without further action necessary by any  
 450 | member board, on the same status. If the member board in the

451 state of principal license subsequently reinstates the  
452 physician's license, a license issued to the physician by any  
453 other member board shall remain encumbered until that respective  
454 member board takes action to reinstate the license in a manner  
455 consistent with the Medical Practice Act of that state.

456 (c) If disciplinary action is taken against a physician by  
457 a member board not in the state of principal license, any other  
458 member board may deem the action conclusive as to matter of law  
459 and fact decided, and:

460 (1) Impose the same or lesser sanction(s) against the  
461 physician so long as such sanctions are consistent with the  
462 Medical Practice Act of that state; or

463 (2) Pursue separate disciplinary action against the  
464 physician under its respective Medical Practice Act, regardless  
465 of the action taken in other member states.

466 (d) If a license granted to a physician by a member board  
467 is revoked, surrendered or relinquished in lieu of discipline,  
468 or suspended, then any license(s) issued to the physician by any  
469 other member board(s) shall be suspended, automatically and  
470 immediately without further action necessary by the other member  
471 board(s), for ninety (90) days upon entry of the order by the  
472 disciplining board, to permit the member board(s) to investigate  
473 the basis for the action under the Medical Practice Act of that  
474 state. A member board may terminate the automatic suspension of  
475 the license it issued prior to the completion of the ninety (90)

476 day suspension period in a manner consistent with the Medical  
477 Practice Act of that state.

478  
479 SECTION 11

480 INTERSTATE MEDICAL LICENSURE COMPACT COMMISSION

481  
482 (a) The member states hereby create the "Interstate  
483 Medical Licensure Compact Commission."

484 (b) The purpose of the Interstate Commission is the  
485 administration of the Interstate Medical Licensure Compact,  
486 which is a discretionary state function.

487 (c) The Interstate Commission shall be a body corporate  
488 and joint agency of the member states and shall have all the  
489 responsibilities, powers, and duties set forth in the Compact,  
490 and such additional powers as may be conferred upon it by a  
491 subsequent concurrent action of the respective legislatures of  
492 the member states in accordance with the terms of the Compact.

493 (d) The Interstate Commission shall consist of two voting  
494 representatives appointed by each member state who shall serve  
495 as Commissioners. In states where allopathic and osteopathic  
496 physicians are regulated by separate member boards, or if the  
497 licensing and disciplinary authority is split between multiple  
498 member boards within a member state, the member state shall  
499 appoint one representative from each member board. A  
500 Commissioner shall be a(n):

501 (1) Allopathic or osteopathic physician appointed to a  
502 member board;

503 (2) Executive director, executive secretary, or similar  
504 executive of a member board; or

505 (3) Member of the public appointed to a member board.

506 (e) The Interstate Commission shall meet at least once  
507 each calendar year. A portion of this meeting shall be a  
508 business meeting to address such matters as may properly come  
509 before the Commission, including the election of officers. The  
510 chairperson may call additional meetings and shall call for a  
511 meeting upon the request of a majority of the member states.

512 (f) The bylaws may provide for meetings of the Interstate  
513 Commission to be conducted by telecommunication or electronic  
514 communication.

515 (g) Each Commissioner participating at a meeting of the  
516 Interstate Commission is entitled to one vote. A majority of  
517 Commissioners shall constitute a quorum for the transaction of  
518 business, unless a larger quorum is required by the bylaws of  
519 the Interstate Commission. A Commissioner shall not delegate a  
520 vote to another Commissioner. In the absence of its  
521 Commissioner, a member state may delegate voting authority for a  
522 specified meeting to another person from that state who shall  
523 meet the requirements of subsection (d).

524 (h) The Interstate Commission shall provide public notice  
525 of all meetings and all meetings shall be open to the public.

526 | The Interstate Commission may close a meeting, in full or in  
 527 | portion, where it determines by a two-thirds vote of the  
 528 | Commissioners present that an open meeting would be likely to:  
 529 |       (1) Relate solely to the internal personnel practices and  
 530 | procedures of the Interstate Commission;  
 531 |       (2) Discuss matters specifically exempted from disclosure  
 532 | by federal statute;  
 533 |       (3) Discuss trade secrets, commercial, or financial  
 534 | information that is privileged or confidential;  
 535 |       (4) Involve accusing a person of a crime, or formally  
 536 | censuring a person;  
 537 |       (5) Discuss information of a personal nature where  
 538 | disclosure would constitute a clearly unwarranted invasion of  
 539 | personal privacy;  
 540 |       (6) Discuss investigative records compiled for law  
 541 | enforcement purposes; or  
 542 |       (7) Specifically relate to the participation in a civil  
 543 | action or other legal proceeding.  
 544 |       (i) The Interstate Commission shall keep minutes which  
 545 | shall fully describe all matters discussed in a meeting and  
 546 | shall provide a full and accurate summary of actions taken,  
 547 | including record of any roll call votes.  
 548 |       (j) The Interstate Commission shall make its information  
 549 | and official records, to the extent not otherwise designated in  
 550 | the Compact or by its rules, available to the public for

551 inspection.

552 (k) The Interstate Commission shall establish an executive  
553 committee, which shall include officers, members, and others as  
554 determined by the bylaws. The executive committee shall have the  
555 power to act on behalf of the Interstate Commission, with the  
556 exception of rulemaking, during periods when the Interstate  
557 Commission is not in session. When acting on behalf of the  
558 Interstate Commission, the executive committee shall oversee the  
559 administration of the Compact including enforcement and  
560 compliance with the provisions of the Compact, its bylaws and  
561 rules, and other such duties as necessary.

562 (l) The Interstate Commission may establish other  
563 committees for governance and administration of the Compact.

564  
565 SECTION 12

566 POWERS AND DUTIES OF THE INTERSTATE COMMISSION

567  
568 The Interstate Commission shall have the duty and power to:

569 (a) Oversee and maintain the administration of the  
570 Compact;

571 (b) Promulgate rules which shall be binding to the extent  
572 and in the manner provided for in the Compact;

573 (c) Issue, upon the request of a member state or member  
574 board, advisory opinions concerning the meaning or  
575 interpretation of the Compact, its bylaws, rules, and actions;

576 (d) Enforce compliance with Compact provisions, the rules  
577 promulgated by the Interstate Commission, and the bylaws, using  
578 all necessary and proper means, including but not limited to the  
579 use of judicial process;

580 (e) Establish and appoint committees including, but not  
581 limited to, an executive committee as required by Section 11,  
582 which shall have the power to act on behalf of the Interstate  
583 Commission in carrying out its powers and duties;

584 (f) Pay, or provide for the payment of the expenses  
585 related to the establishment, organization, and ongoing  
586 activities of the Interstate Commission;

587 (g) Establish and maintain one or more offices;

588 (h) Borrow, accept, hire, or contract for services of  
589 personnel;

590 (i) Purchase and maintain insurance and bonds;

591 (j) Employ an executive director who shall have such  
592 powers to employ, select or appoint employees, agents, or  
593 consultants, and to determine their qualifications, define their  
594 duties, and fix their compensation;

595 (k) Establish personnel policies and programs relating to  
596 conflicts of interest, rates of compensation, and qualifications  
597 of personnel;

598 (l) Accept donations and grants of money, equipment,  
599 supplies, materials and services, and to receive, utilize, and  
600 dispose of it in a manner consistent with the conflict of



601 interest policies established by the Interstate Commission;  
 602 (m) Lease, purchase, accept contributions or donations of,  
 603 or otherwise to own, hold, improve or use, any property, real,  
 604 personal, or mixed;  
 605 (n) Sell, convey, mortgage, pledge, lease, exchange,  
 606 abandon, or otherwise dispose of any property, real, personal,  
 607 or mixed;  
 608 (o) Establish a budget and make expenditures;  
 609 (p) Adopt a seal and bylaws governing the management and  
 610 operation of the Interstate Commission;  
 611 (q) Report annually to the legislatures and governors of  
 612 the member states concerning the activities of the Interstate  
 613 Commission during the preceding year. Such reports shall also  
 614 include reports of financial audits and any recommendations that  
 615 may have been adopted by the Interstate Commission;  
 616 (r) Coordinate education, training, and public awareness  
 617 regarding the Compact, its implementation, and its operation;  
 618 (s) Maintain records in accordance with the bylaws;  
 619 (t) Seek and obtain trademarks, copyrights, and patents;  
 620 and  
 621 (u) Perform such functions as may be necessary or  
 622 appropriate to achieve the purposes of the Compact.

624 SECTION 13  
 625 FINANCE POWERS

626  
627       (a) The Interstate Commission may levy on and collect an  
628 annual assessment from each member state to cover the cost of  
629 the operations and activities of the Interstate Commission and  
630 its staff. The total assessment, subject to appropriation, must  
631 be sufficient to cover the annual budget approved each year for  
632 which revenue is not provided by other sources. The aggregate  
633 annual assessment amount shall be allocated upon a formula to be  
634 determined by the Interstate Commission, which shall promulgate  
635 a rule binding upon all member states.

636       (b) The Interstate Commission shall not incur obligations  
637 of any kind prior to securing the funds adequate to meet the  
638 same.

639       (c) The Interstate Commission shall not pledge the credit  
640 of any of the member states, except by, and with the authority  
641 of, the member state.

642       (d) The Interstate Commission shall be subject to a yearly  
643 financial audit conducted by a certified or licensed public  
644 accountant and the report of the audit shall be included in the  
645 annual report of the Interstate Commission.

647                               SECTION 14

648                   ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

649  
650       (a) The Interstate Commission shall, by a majority of

651 Commissioners present and voting, adopt bylaws to govern its  
652 conduct as may be necessary or appropriate to carry out the  
653 purposes of the Compact within twelve (12) months of the first  
654 Interstate Commission meeting.

655 (b) The Interstate Commission shall elect or appoint  
656 annually from among its Commissioners a chairperson, a vice-  
657 chairperson, and a treasurer, each of whom shall have such  
658 authority and duties as may be specified in the bylaws. The  
659 chairperson, or in the chairperson's absence or disability, the  
660 vice-chairperson, shall preside at all meetings of the  
661 Interstate Commission.

662 (c) Officers selected in subsection (b) shall serve  
663 without remuneration from the Interstate Commission.

664 (d) The officers and employees of the Interstate  
665 Commission shall be immune from suit and liability, either  
666 personally or in their official capacity, for a claim for damage  
667 to or loss of property or personal injury or other civil  
668 liability caused or arising out of, or relating to, an actual or  
669 alleged act, error, or omission that occurred, or that such  
670 person had a reasonable basis for believing occurred, within the  
671 scope of Interstate Commission employment, duties, or  
672 responsibilities; provided that such person shall not be  
673 protected from suit or liability for damage, loss, injury, or  
674 liability caused by the intentional or willful and wanton  
675 misconduct of such person.

676       (1) The liability of the executive director and employees  
677 of the Interstate Commission or representatives of the  
678 Interstate Commission, acting within the scope of such person's  
679 employment or duties for acts, errors, or omissions occurring  
680 within such person's state, may not exceed the limits of  
681 liability set forth under the constitution and laws of that  
682 state for state officials, employees, and agents. The Interstate  
683 Commission is considered to be an instrumentality of the states  
684 for the purposes of any such action. Nothing in this subsection  
685 shall be construed to protect such person from suit or liability  
686 for damage, loss, injury, or liability caused by the intentional  
687 or willful and wanton misconduct of such person.

688       (2) The Interstate Commission shall defend the executive  
689 director, its employees, and subject to the approval of the  
690 attorney general or other appropriate legal counsel of the  
691 member state represented by an Interstate Commission  
692 representative, shall defend such Interstate Commission  
693 representative in any civil action seeking to impose liability  
694 arising out of an actual or alleged act, error or omission that  
695 occurred within the scope of Interstate Commission employment,  
696 duties or responsibilities, or that the defendant had a  
697 reasonable basis for believing occurred within the scope of  
698 Interstate Commission employment, duties, or responsibilities,  
699 provided that the actual or alleged act, error, or omission did  
700 not result from intentional or willful and wanton misconduct on

701 the part of such person.  
702 (3) To the extent not covered by the state involved,  
703 member state, or the Interstate Commission, the representatives  
704 or employees of the Interstate Commission shall be held harmless  
705 in the amount of a settlement or judgment, including attorney's  
706 fees and costs, obtained against such persons arising out of an  
707 actual or alleged act, error, or omission that occurred within  
708 the scope of Interstate Commission employment, duties, or  
709 responsibilities, or that such persons had a reasonable basis  
710 for believing occurred within the scope of Interstate Commission  
711 employment, duties, or responsibilities, provided that the  
712 actual or alleged act, error, or omission did not result from  
713 intentional or willful and wanton misconduct on the part of such  
714 persons.

715  
716 SECTION 15

717 RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

718  
719 (a) The Interstate Commission shall promulgate reasonable  
720 rules in order to effectively and efficiently achieve the  
721 purposes of the Compact. Notwithstanding the foregoing, in the  
722 event the Interstate Commission exercises its rulemaking  
723 authority in a manner that is beyond the scope of the purposes  
724 of the Compact, or the powers granted hereunder, then such an  
725 action by the Interstate Commission shall be invalid and have no

726 force or effect.

727 (b) Rules deemed appropriate for the operations of the  
728 Interstate Commission shall be made pursuant to a rulemaking  
729 process that substantially conforms to the "Model State  
730 Administrative Procedure Act" of 2010, and subsequent amendments  
731 thereto.

732 (c) Not later than thirty (30) days after a rule is  
733 promulgated, any person may file a petition for judicial review  
734 of the rule in the United States District Court for the District  
735 of Columbia or the federal district where the Interstate  
736 Commission has its principal offices, provided that the filing  
737 of such a petition shall not stay or otherwise prevent the rule  
738 from becoming effective unless the court finds that the  
739 petitioner has a substantial likelihood of success. The court  
740 shall give deference to the actions of the Interstate Commission  
741 consistent with applicable law and shall not find the rule to be  
742 unlawful if the rule represents a reasonable exercise of the  
743 authority granted to the Interstate Commission.

744  
745 SECTION 16

746 OVERSIGHT OF INTERSTATE COMPACT

747  
748 (a) The executive, legislative, and judicial branches of  
749 state government in each member state shall enforce the Compact  
750 and shall take all actions necessary and appropriate to

751 effectuate the Compact's purposes and intent. The provisions of  
752 the Compact and the rules promulgated hereunder shall have  
753 standing as statutory law but shall not override existing state  
754 authority to regulate the practice of medicine.

755 (b) All courts shall take judicial notice of the Compact  
756 and the rules in any judicial or administrative proceeding in a  
757 member state pertaining to the subject matter of the Compact  
758 which may affect the powers, responsibilities or actions of the  
759 Interstate Commission.

760 (c) The Interstate Commission shall be entitled to receive  
761 all service of process in any such proceeding, and shall have  
762 standing to intervene in the proceeding for all purposes.  
763 Failure to provide service of process to the Interstate  
764 Commission shall render a judgment or order void as to the  
765 Interstate Commission, the Compact, or promulgated rules.

766  
767 SECTION 17

768 ENFORCEMENT OF INTERSTATE COMPACT

769  
770 (a) The Interstate Commission, in the reasonable exercise  
771 of its discretion, shall enforce the provisions and rules of the  
772 Compact.

773 (b) The Interstate Commission may, by majority vote of the  
774 Commissioners, initiate legal action in the United States  
775 District Court for the District of Columbia, or, at the

776 discretion of the Interstate Commission, in the federal district  
777 where the Interstate Commission has its principal offices, to  
778 enforce compliance with the provisions of the Compact, and its  
779 promulgated rules and bylaws, against a member state in default.  
780 The relief sought may include both injunctive relief and  
781 damages. In the event judicial enforcement is necessary, the  
782 prevailing party shall be awarded all costs of such litigation  
783 including reasonable attorney's fees.

784 (c) The remedies herein shall not be the exclusive  
785 remedies of the Interstate Commission. The Interstate Commission  
786 may avail itself of any other remedies available under state law  
787 or the regulation of a profession.

788  
789 SECTION 18

790 DEFAULT PROCEDURES

791  
792 (a) The grounds for default include, but are not limited  
793 to, failure of a member state to perform such obligations or  
794 responsibilities imposed upon it by the Compact, or the rules  
795 and bylaws of the Interstate Commission promulgated under the  
796 Compact.

797 (b) If the Interstate Commission determines that a member  
798 state has defaulted in the performance of its obligations or  
799 responsibilities under the Compact, or the bylaws or promulgated  
800 rules, the Interstate Commission shall:



801        (1) Provide written notice to the defaulting state and  
802 other member states, of the nature of the default, the means of  
803 curing the default, and any action taken by the Interstate  
804 Commission. The Interstate Commission shall specify the  
805 conditions by which the defaulting state must cure its default;  
806 and

807        (2) Provide remedial training and specific technical  
808 assistance regarding the default.

809        (c) If the defaulting state fails to cure the default, the  
810 defaulting state shall be terminated from the Compact upon an  
811 affirmative vote of a majority of the Commissioners and all  
812 rights, privileges, and benefits conferred by the Compact shall  
813 terminate on the effective date of termination. A cure of the  
814 default does not relieve the offending state of obligations or  
815 liabilities incurred during the period of the default.

816        (d) Termination of membership in the Compact shall be  
817 imposed only after all other means of securing compliance have  
818 been exhausted. Notice of intent to terminate shall be given by  
819 the Interstate Commission to the governor, the majority and  
820 minority leaders of the defaulting state's legislature, and each  
821 of the member states.

822        (e) The Interstate Commission shall establish rules and  
823 procedures to address licenses and physicians that are  
824 materially impacted by the termination of a member state, or the  
825 withdrawal of a member state.

826 (f) The member state which has been terminated is  
827 responsible for all dues, obligations, and liabilities incurred  
828 through the effective date of termination including obligations,  
829 the performance of which extends beyond the effective date of  
830 termination.

831 (g) The Interstate Commission shall not bear any costs  
832 relating to any state that has been found to be in default or  
833 which has been terminated from the Compact, unless otherwise  
834 mutually agreed upon in writing between the Interstate  
835 Commission and the defaulting state.

836 (h) The defaulting state may appeal the action of the  
837 Interstate Commission by petitioning the United States District  
838 Court for the District of Columbia or the federal district where  
839 the Interstate Commission has its principal offices. The  
840 prevailing party shall be awarded all costs of such litigation  
841 including reasonable attorney's fees.

842  
843 SECTION 19

844 DISPUTE RESOLUTION

845  
846 (a) The Interstate Commission shall attempt, upon the  
847 request of a member state, to resolve disputes which are subject  
848 to the Compact and which may arise among member states or member  
849 boards.

850 (b) The Interstate Commission shall promulgate rules

851 providing for both mediation and binding dispute resolution as  
852 appropriate.

854 SECTION 20

855 MEMBER STATES, EFFECTIVE DATE AND AMENDMENT

857 (a) Any state is eligible to become a member state of the  
858 Compact.

859 (b) The Compact shall become effective and binding upon  
860 legislative enactment of the Compact into law by no less than  
861 seven (7) states. Thereafter, it shall become effective and  
862 binding on a state upon enactment of the Compact into law by  
863 that state.

864 (c) The governors of non-member states, or their  
865 designees, shall be invited to participate in the activities of  
866 the Interstate Commission on a non-voting basis prior to  
867 adoption of the Compact by all states.

868 (d) The Interstate Commission may propose amendments to  
869 the Compact for enactment by the member states. No amendment  
870 shall become effective and binding upon the Interstate  
871 Commission and the member states unless and until it is enacted  
872 into law by unanimous consent of the member states.

874 SECTION 21

875 WITHDRAWAL

876  
877       (a) Once effective, the Compact shall continue in force  
878 and remain binding upon each and every member state; provided  
879 that a member state may withdraw from the Compact by  
880 specifically repealing the statute which enacted the Compact  
881 into law.

882       (b) Withdrawal from the Compact shall be by the enactment  
883 of a statute repealing the same, but shall not take effect until  
884 one (1) year after the effective date of such statute and until  
885 written notice of the withdrawal has been given by the  
886 withdrawing state to the governor of each other member state.

887       (c) The withdrawing state shall immediately notify the  
888 chairperson of the Interstate Commission in writing upon the  
889 introduction of legislation repealing the Compact in the  
890 withdrawing state.

891       (d) The Interstate Commission shall notify the other  
892 member states of the withdrawing state's intent to withdraw  
893 within sixty (60) days of its receipt of notice provided under  
894 subsection (c).

895       (e) The withdrawing state is responsible for all dues,  
896 obligations and liabilities incurred through the effective date  
897 of withdrawal, including obligations, the performance of which  
898 extend beyond the effective date of withdrawal.

899       (f) Reinstatement following withdrawal of a member state  
900 shall occur upon the withdrawing state reenacting the Compact or

901 upon such later date as determined by the Interstate Commission.  
 902 (g) The Interstate Commission is authorized to develop  
 903 rules to address the impact of the withdrawal of a member state  
 904 on licenses granted in other member states to physicians who  
 905 designated the withdrawing member state as the state of  
 906 principal license.

907  
 908 SECTION 22

909 DISSOLUTION

910  
 911 (a) The Compact shall dissolve effective upon the date of  
 912 the withdrawal or default of the member state which reduces the  
 913 membership in the Compact to one (1) member state.

914 (b) Upon the dissolution of the Compact, the Compact  
 915 becomes null and void and shall be of no further force or  
 916 effect, and the business and affairs of the Interstate  
 917 Commission shall be concluded and surplus funds shall be  
 918 distributed in accordance with the bylaws.

919  
 920 SECTION 23

921 SEVERABILITY AND CONSTRUCTION

922  
 923 (a) The provisions of the Compact shall be severable, and  
 924 if any phrase, clause, sentence, or provision is deemed  
 925 unenforceable, the remaining provisions of the Compact shall be

926 enforceable.

927 (b) The provisions of the Compact shall be liberally  
 928 construed to effectuate its purposes.

929 (c) Nothing in the Compact shall be construed to prohibit  
 930 the applicability of other interstate compacts to which the  
 931 states are members.

932  
 933 SECTION 24

934 BINDING EFFECT OF COMPACT AND OTHER LAWS

935  
 936 (a) Nothing herein prevents the enforcement of any other  
 937 law of a member state that is not inconsistent with the Compact.

938 (b) All laws in a member state in conflict with the  
 939 Compact are superseded to the extent of the conflict.

940 (c) All lawful actions of the Interstate Commission,  
 941 including all rules and bylaws promulgated by the Commission,  
 942 are binding upon the member states.

943 (d) All agreements between the Interstate Commission and  
 944 the member states are binding in accordance with their terms.

945 (e) In the event any provision of the Compact exceeds the  
 946 constitutional limits imposed on the legislature of any member  
 947 state, such provision shall be ineffective to the extent of the  
 948 conflict with the constitutional provision in question in that  
 949 member state.

950 Section 3. Section 456.4502, Florida Statutes, is created

951 to read:

952 456.4502 Interstate Medical Licensure Compact;  
953 disciplinary proceedings.—A physician licensed pursuant to  
954 chapter 458, chapter 459, or s. 456.4501 whose license is  
955 suspended or revoked by this state pursuant to the Interstate  
956 Medical Licensure Compact as a result of disciplinary action  
957 taken against the physician's license in another state shall be  
958 granted a formal hearing before an administrative law judge from  
959 the Division of Administrative Hearings held pursuant to chapter  
960 120 if there are any disputed issues of material fact. In such  
961 proceedings:

962 (a) Notwithstanding s. 120.569(2), the department shall  
963 notify the division within 45 days after receipt of a petition  
964 or request for a formal hearing.

965 (b) The determination of whether the physician has  
966 violated the laws and rules regulating the practice of medicine  
967 or osteopathic medicine, as applicable, including a  
968 determination of the reasonable standard of care, is a  
969 conclusion of law that is to be determined by appropriate board,  
970 and is not a finding of fact to be determined by an  
971 administrative law judge.

972 (c) The administrative law judge shall issue a recommended  
973 order pursuant to chapter 120.

974 (d) The Board of Medicine or the Board of Osteopathic  
975 Medicine, as applicable, shall determine and issue the final

976 order in each disciplinary case. Such order shall constitute  
977 final agency action.

978 (e) Any consent order or agreed-upon settlement is subject  
979 to the approval of the department.

980 (f) The department shall have standing to seek judicial  
981 review of any final order of the board, pursuant to s. 120.68.

982 Section 4. Section 456.4504, Florida Statutes, is created  
983 to read:

984 456.4504 Interstate Medical Licensure Compact Rules.—The  
985 department may adopt rules to implement the Interstate Medical  
986 Licensure Compact.

987 Section 5. Section 456.48, Florida Statutes, is created to  
988 read:

989 456.48 Standardized credentialing application.—

990 (1) As used in this section, the term "health insurer"  
991 means an authorized insurer offering health insurance as defined  
992 in s. 624.603, a managed care plan as defined in s. 409.962, or  
993 a health maintenance organization as defined in s. 641.19(12).

994 (2) The Financial Services Commission, in consultation  
995 with the Agency for Health Care Administration, shall adopt by  
996 rule a standardized credentialing form for verifying the  
997 credentials of an applicant licensed under chapter 458, chapter  
998 459, chapter 461, or chapter 466. In prescribing a form under  
999 this section, the commission shall adopt the most current  
1000 version of the credentialing application form provided by the



1001 Council for Affordable Quality Healthcare, Inc.  
 1002 (3) Notwithstanding any other law to the contrary,  
 1003 effective January 1, 2021, or 6 months after the effective date  
 1004 of the rule adopting the standardized credentialing form,  
 1005 whichever is later, a health insurer or a hospital licensed  
 1006 under chapter 395 shall use only the standardized credentialing  
 1007 form approved by the commission to verify the credentials of an  
 1008 applicant licensed under chapter 458, chapter 459, chapter 461,  
 1009 or chapter 466.

1010 Section 6. Section 456.481, Florida Statutes, is created  
 1011 to read:

1012 456.481 Expedited credentialing process.-  
 1013 (1) As used in this section, the term:  
 1014 (a) "Applicant" means a person licensed under chapter 458,  
 1015 chapter 459, chapter 461, or chapter 466 who is applying for  
 1016 expedited credentialing under this section.  
 1017 (b) "Enrollee" means an individual who is eligible to  
 1018 receive health care services under a managed care plan.  
 1019 (c) "Managed care plan" means an insurer issuing a health  
 1020 insurance policy pursuant to s. 627.6471 or s. 627.6472, a  
 1021 managed care plan as defined in s. 409.962, or a health  
 1022 maintenance organization as defined in s. 641.19(12).  
 1023 (d) "Medical group" means an entity through which health  
 1024 care services are provided to individuals by two or more persons  
 1025 licensed under chapter 458, chapter 459, chapter 461, or chapter

1026 466 and that receives reimbursement for such services.

1027 (e) "Participating provider" means a person licensed under  
 1028 chapter 458, chapter 459, chapter 461, or chapter 466 who has  
 1029 contracted with a managed care plan to provide services to  
 1030 enrollees.

1031 (2) This section applies only to an applicant who joins an  
 1032 established medical group that has a current contract in force  
 1033 with a managed care plan.

1034 (3) To qualify for expedited credentialing under this  
 1035 section and for payment under subsection (4), an applicant must:

1036 (a) Be licensed in this state by, and be in good standing  
 1037 with, the Board of Medicine, the Board of Osteopathic Medicine,  
 1038 the Board of Podiatric Medicine, or the Board of Dentistry, as  
 1039 applicable.

1040 (b) Submit all documentation and any other information  
 1041 required by the managed care plan as necessary for the managed  
 1042 care plan to begin the credentialing process to include such  
 1043 applicant in its health benefit plan network.

1044 (c) Agree to comply with the terms of the managed care  
 1045 plan's participating provider contract in force with the  
 1046 applicant's established medical group.

1047 (4) For purposes of payment, after an applicant qualifies  
 1048 for expedited credentialing under subsection (3), the managed  
 1049 care plan shall consider the applicant a participating provider  
 1050 in its health benefit plan network when services are provided to

1051 the managed care plan's enrollees by the applicant, including:  
1052 (a) Authorizing the applicant to collect copayments from  
1053 enrollees.  
1054 (b) Making payments to the applicant.  
1055 (c) Authorizing the applicant to provide services to  
1056 enrollees.  
1057 (5) Pending the approval of an application submitted under  
1058 this section, the managed care plan may exclude the applicant  
1059 from the managed care plan's directory of participating  
1060 providers or any other listing of participating providers.  
1061 (6) If, upon completion of the expedited credentialing  
1062 process, the managed care plan determines that the applicant  
1063 does not meet the managed care plan's credentialing  
1064 requirements:  
1065 (a) The managed care plan may recover from the applicant  
1066 or the applicant's medical group an amount equal to the  
1067 difference between payments for in-network benefits and out-of-  
1068 network benefits.  
1069 (b) The applicant or the applicant's medical group may  
1070 retain any copayments collected or in the process of being  
1071 collected as of the date of the managed care plan's  
1072 determination.  
1073 (7) An enrollee in a managed care plan is not responsible,  
1074 and must be held harmless, for the difference between the in-  
1075 network payment to the applicant and the out-of-network charge

1076 of the applicant or the applicant's medical group for the  
1077 service provided to the enrollee. The applicant and the  
1078 applicant's medical group may not charge the enrollee for any  
1079 portion of the applicant's fee which is not paid or reimbursed  
1080 by the enrollee's managed care plan.

1081 (8) A managed care plan that complies with this section is  
1082 not subject to any liability for damages arising out of or in  
1083 connection with, directly or indirectly, payment by the managed  
1084 care plan to an applicant as if the applicant were a  
1085 participating provider in the health benefit plan network.

1086 Section 7. Section 458.3129, Florida Statutes, is created  
1087 to read:

1088 458.3129 Interstate Medical Licensure Compact.—A physician  
1089 licensed to practice medicine under s. 456.4501 is deemed to  
1090 also be licensed under this chapter.

1091 Section 8. Section 459.074, Florida Statutes, is created  
1092 to read:

1093 459.074 Interstate Medical Licensure Compact.—A physician  
1094 licensed to practice osteopathic medicine under s. 456.4501 is  
1095 deemed to also be licensed under this chapter.

1096 Section 9. Subsections (2) through (7) of section 491.003,  
1097 Florida Statutes, are renumbered as subsections (3) through (8),  
1098 respectively, present subsections (8) through (17) are  
1099 renumbered as subsections (10) through (19), respectively, and  
1100 new subsections (2) and (9) are added to that section to read:

1101 491.003 Definitions.—As used in this chapter:  
 1102 (2) "Certified master social worker" means a person  
 1103 licensed under this chapter to practice generalist social work.

1104 (9) "Practice of generalist social work" means the  
 1105 application of social work theory, knowledge, methods, and  
 1106 ethics, and the professional use of self to restore or enhance  
 1107 social, psychosocial, or biopsychosocial functioning of  
 1108 individuals, couples, families, groups, organizations, and  
 1109 communities. The term includes the application of specialized  
 1110 knowledge and advanced practice skills in nondiagnostic  
 1111 assessment, treatment planning, implementation and evaluation,  
 1112 case management, information and referral, supervision,  
 1113 consultation, education, research, advocacy, community  
 1114 organization, and the development, implementation, and  
 1115 administration of policies, programs, and activities.

1116 Section 10. Subsections (4) through (7) of section  
 1117 491.004, Florida Statutes, are renumbered as subsections (3)  
 1118 through (6), respectively, and present subsections (3) and (4)  
 1119 of that section are amended to read:

1120 491.004 Board of Clinical Social Work, Marriage and Family  
 1121 Therapy, and Mental Health Counseling.—

1122 ~~(3) No later than January 1, 1988, the Governor shall~~  
 1123 ~~appoint nine members of the board as follows:~~

1124 ~~(a) Three members for terms of 2 years each.~~

1125 ~~(b) Three members for terms of 3 years each.~~

1126 ~~(c) Three members for terms of 4 years each.~~  
 1127 (3)~~(4)~~ As the terms of the ~~initial~~ members expire, the  
 1128 Governor shall appoint successors for terms of 4 years; and  
 1129 those members shall serve until their successors are appointed.

1130 Section 11. Subsections (2) and (6) of section 491.0045,  
 1131 Florida Statutes, are amended to read:

1132 491.0045 Intern registration; requirements.—

1133 (2) The department shall register as a clinical social  
 1134 worker intern, marriage and family therapist intern, or mental  
 1135 health counselor intern each applicant who the board certifies  
 1136 has:

1137 (a) Completed the application form and remitted a  
 1138 nonrefundable application fee not to exceed \$200, as set by  
 1139 board rule;

1140 (b)1. Completed the education requirements as specified in  
 1141 s. 491.005(1)(c), (3)(c), or (4)(c) for the profession for which  
 1142 he or she is applying for licensure, if needed; and

1143 2. Submitted an acceptable supervision plan, as determined  
 1144 by the board, for meeting the practicum, internship, or field  
 1145 work required for licensure that was not satisfied in his or her  
 1146 graduate program.

1147 (c) Identified a qualified supervisor.

1148 (d) Completed an 8-hour Florida laws and rules course  
 1149 approved by the board.

1150 (6) A registration issued on or before March 31, 2017,

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1151 expires March 31, 2022, and may not be renewed or reissued. Any  
1152 registration issued after March 31, 2017, expires 60 months  
1153 after the date it is issued. The board may make a one-time  
1154 exception from the requirements of this section in emergency or  
1155 hardship cases, as defined by board rule, if ~~A subsequent intern~~  
1156 ~~registration may not be issued unless~~ the candidate has passed  
1157 the theory and practice examination described in s.  
1158 491.005(1)(d), (3)(d), and (4)(d).

1159 Section 12. Subsection (1), paragraph (b) of subsection  
1160 (2), and subsections (3) and (4) of section 491.005, Florida  
1161 Statutes, are amended to read:

1162 491.005 Licensure by examination.—

1163 (1) CLINICAL SOCIAL WORK.—Upon verification of  
1164 documentation and payment of a fee not to exceed \$200, as set by  
1165 board rule, plus the actual per applicant cost ~~to the department~~  
1166 for purchase of the examination from the ~~American~~ Association of  
1167 ~~State Social Work Worker's~~ Boards or its successor ~~a similar~~  
1168 ~~national organization~~, the department shall issue a license as a  
1169 clinical social worker to an applicant who the board certifies:

1170 (a) Has submitted an application and paid the appropriate  
1171 fee.

1172 (b)1. Has received a doctoral degree in social work from a  
1173 graduate school of social work which at the time the applicant  
1174 graduated was accredited by an accrediting agency recognized by  
1175 the United States Department of Education or has received a

1176 master's degree in social work from a graduate school of social  
1177 work which at the time the applicant graduated:

1178       a. Was accredited by the Council on Social Work Education;  
1179       b. Was accredited by the Canadian Association of Schools  
1180 of Social Work; or

1181       c. Has been determined to have been a program equivalent  
1182 to programs approved by the Council on Social Work Education by  
1183 the Foreign Equivalency Determination Service of the Council on  
1184 Social Work Education. An applicant who graduated from a program  
1185 at a university or college outside of the United States or  
1186 Canada must present documentation of the equivalency  
1187 determination from the council in order to qualify.

1188       2. The applicant's graduate program must have emphasized  
1189 direct clinical patient or client health care services,  
1190 including, but not limited to, coursework in clinical social  
1191 work, psychiatric social work, medical social work, social  
1192 casework, psychotherapy, or group therapy. The applicant's  
1193 graduate program must have included all of the following  
1194 coursework:

1195       a. A supervised field placement which was part of the  
1196 applicant's advanced concentration in direct practice, during  
1197 which the applicant provided clinical services directly to  
1198 clients.

1199       b. Completion of 24 semester hours or 32 quarter hours in  
1200 courses approved by board rule ~~theory of human behavior and~~



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1201 ~~practice methods as courses in clinically oriented services,~~  
1202 ~~including a minimum of one course in psychopathology, and no~~  
1203 ~~more than one course in research, taken in a school of social~~  
1204 ~~work accredited or approved pursuant to subparagraph 1.~~

1205 ~~3. If the course title which appears on the applicant's~~  
1206 ~~transcript does not clearly identify the content of the~~  
1207 ~~coursework, the applicant shall be required to provide~~  
1208 ~~additional documentation, including, but not limited to, a~~  
1209 ~~syllabus or catalog description published for the course.~~

1210 (c) Has had at least 2 years of clinical social work  
1211 experience, which took place subsequent to completion of a  
1212 graduate degree in social work at an institution meeting the  
1213 accreditation requirements of this section, under the  
1214 supervision of a licensed clinical social worker or the  
1215 equivalent who is a qualified supervisor as determined by the  
1216 board. An individual who intends to practice in Florida to  
1217 satisfy clinical experience requirements must register pursuant  
1218 to s. 491.0045 before commencing practice. If the applicant's  
1219 graduate program was not a program which emphasized direct  
1220 clinical patient or client health care services as described in  
1221 subparagraph (b)2., the supervised experience requirement must  
1222 take place after the applicant has completed a minimum of 15  
1223 semester hours or 22 quarter hours of the coursework required. A  
1224 doctoral internship may be applied toward the clinical social  
1225 work experience requirement. A licensed mental health

1226 professional must be on the premises when clinical services are  
1227 provided by a registered intern in a private practice setting.

1228 (d) Has passed a theory and practice examination  
1229 designated ~~provided by the board department for this purpose.~~

1230 (e) Has demonstrated, in a manner designated by board rule  
1231 ~~of the board~~, knowledge of the laws and rules governing the  
1232 practice of clinical social work, marriage and family therapy,  
1233 and mental health counseling.

1234 (2) CLINICAL SOCIAL WORK.—

1235 (b) An applicant from a master's or doctoral program in  
1236 social work which did not emphasize direct patient or client  
1237 services may complete the clinical curriculum content  
1238 requirement by returning to a graduate program accredited by the  
1239 Council on Social Work Education or the Canadian Association for  
1240 Social Work Education ~~of Schools of Social Work~~, or to a  
1241 clinical social work graduate program with comparable standards,  
1242 in order to complete the education requirements for examination.  
1243 However, a maximum of 6 semester or 9 quarter hours of the  
1244 clinical curriculum content requirement may be completed by  
1245 credit awarded for independent study coursework as defined by  
1246 board rule.

1247 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of  
1248 documentation and payment of a fee not to exceed \$200, as set by  
1249 board rule, plus the actual cost ~~to the department~~ for the  
1250 purchase of the examination from the Association of Marital and

1251 Family Therapy Regulatory Boards ~~Board~~, or its successor ~~similar~~  
 1252 ~~national~~ organization, the department shall issue a license as a  
 1253 marriage and family therapist to an applicant who the board  
 1254 certifies:

1255 (a) Has submitted an application and paid the appropriate  
 1256 fee.

1257 (b) ~~1.~~ Has a minimum of a master's degree with major  
 1258 emphasis in marriage and family therapy from a program  
 1259 accredited by the Commission on Accreditation for Marriage and  
 1260 Family Therapy Education or from a state university program  
 1261 accredited by the Council for Accreditation of Counseling and  
 1262 Related Educational Programs, or a closely related field, and  
 1263 graduate courses approved by the Board of Clinical Social Work,  
 1264 Marriage and Family Therapy, and Mental Health Counseling ~~has~~  
 1265 ~~completed all of the following requirements:~~

1266 a. ~~Thirty-six semester hours or 48 quarter hours of~~  
 1267 ~~graduate coursework, which must include a minimum of 3 semester~~  
 1268 ~~hours or 4 quarter hours of graduate-level course credits in~~  
 1269 ~~each of the following nine areas: dynamics of marriage and~~  
 1270 ~~family systems; marriage therapy and counseling theory and~~  
 1271 ~~techniques; family therapy and counseling theory and techniques;~~  
 1272 ~~individual human development theories throughout the life cycle;~~  
 1273 ~~personality theory or general counseling theory and techniques;~~  
 1274 ~~psychopathology; human sexuality theory and counseling~~  
 1275 ~~techniques; psychosocial theory; and substance abuse theory and~~

1276 ~~counseling techniques. Courses in research, evaluation,~~  
1277 ~~appraisal, assessment, or testing theories and procedures;~~  
1278 ~~thesis or dissertation work; or practicums, internships, or~~  
1279 ~~fieldwork may not be applied toward this requirement.~~

1280 ~~b. A minimum of one graduate-level course of 3 semester~~  
1281 ~~hours or 4 quarter hours in legal, ethical, and professional~~  
1282 ~~standards issues in the practice of marriage and family therapy~~  
1283 ~~or a course determined by the board to be equivalent.~~

1284 ~~e. A minimum of one graduate-level course of 3 semester~~  
1285 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~  
1286 ~~and testing for individual or interpersonal disorder or~~  
1287 ~~dysfunction; and a minimum of one 3-semester-hour or 4-quarter-~~  
1288 ~~hour graduate-level course in behavioral research which focuses~~  
1289 ~~on the interpretation and application of research data as it~~  
1290 ~~applies to clinical practice. Credit for thesis or dissertation~~  
1291 ~~work, practicums, internships, or fieldwork may not be applied~~  
1292 ~~toward this requirement.~~

1293 ~~d. A minimum of one supervised clinical practicum,~~  
1294 ~~internship, or field experience in a marriage and family~~  
1295 ~~counseling setting, during which the student provided 180 direct~~  
1296 ~~client contact hours of marriage and family therapy services~~  
1297 ~~under the supervision of an individual who met the requirements~~  
1298 ~~for supervision under paragraph (c). This requirement may be met~~  
1299 ~~by a supervised practice experience which took place outside the~~  
1300 ~~academic arena, but which is certified as equivalent to a~~

1301 ~~graduate-level practicum or internship program which required a~~  
1302 ~~minimum of 180 direct client contact hours of marriage and~~  
1303 ~~family therapy services currently offered within an academic~~  
1304 ~~program of a college or university accredited by an accrediting~~  
1305 ~~agency approved by the United States Department of Education, or~~  
1306 ~~an institution which is publicly recognized as a member in good~~  
1307 ~~standing with the Association of Universities and Colleges of~~  
1308 ~~Canada or a training institution accredited by the Commission on~~  
1309 ~~Accreditation for Marriage and Family Therapy Education~~  
1310 ~~recognized by the United States Department of Education.~~  
1311 ~~Certification shall be required from an official of such~~  
1312 ~~college, university, or training institution.~~

1313 ~~2. If the course title which appears on the applicant's~~  
1314 ~~transcript does not clearly identify the content of the~~  
1315 ~~coursework, the applicant shall be required to provide~~  
1316 ~~additional documentation, including, but not limited to, a~~  
1317 ~~syllabus or catalog description published for the course.~~

1318  
1319 The required master's degree must have been received in an  
1320 institution of higher education which at the time the applicant  
1321 graduated was: fully accredited by a regional accrediting body  
1322 recognized by the Council for Higher Education Accreditation  
1323 ~~Commission on Recognition of Postsecondary Accreditation;~~  
1324 publicly recognized as a member in good standing with ~~the~~  
1325 ~~Association of Universities and Colleges of Canada; or an~~

1326 institution of higher education located outside the United  
1327 States and Canada, which at the time the applicant was enrolled  
1328 and at the time the applicant graduated maintained a standard of  
1329 training substantially equivalent to the standards of training  
1330 of those institutions in the United States which are accredited  
1331 by a regional accrediting body recognized by the Commission on  
1332 Recognition of Postsecondary Accreditation. Such foreign  
1333 education and training must have been received in an institution  
1334 or program of higher education officially recognized by the  
1335 government of the country in which it is located as an  
1336 institution or program to train students to practice as  
1337 professional marriage and family therapists or psychotherapists.  
1338 The burden of establishing that the requirements of this  
1339 provision have been met shall be upon the applicant, and the  
1340 board shall require documentation, such as, but not limited to,  
1341 an evaluation by a foreign equivalency determination service, as  
1342 evidence that the applicant's graduate degree program and  
1343 education were equivalent to an accredited program in this  
1344 country. An applicant with a master's degree from a program  
1345 which did not emphasize marriage and family therapy may complete  
1346 the coursework requirement in a training institution fully  
1347 accredited by the Commission on Accreditation for Marriage and  
1348 Family Therapy Education recognized by the United States  
1349 Department of Education.

1350 (c) Has had at least 2 years of clinical experience during

1351 | which 50 percent of the applicant's clients were receiving  
1352 | marriage and family therapy services, which must be at the post-  
1353 | master's level under the supervision of a licensed marriage and  
1354 | family therapist with at least 5 years of experience, or the  
1355 | equivalent, who is a qualified supervisor as determined by the  
1356 | board. An individual who intends to practice in Florida to  
1357 | satisfy the clinical experience requirements must register  
1358 | pursuant to s. 491.0045 before commencing practice. If a  
1359 | graduate has a master's degree with a major emphasis in marriage  
1360 | and family therapy or a closely related field that did not  
1361 | include all the coursework required under paragraph (b) sub-  
1362 | subparagraphs (b)1.a.-c., credit for the post-master's level  
1363 | clinical experience shall not commence until the applicant has  
1364 | completed a minimum of 10 of the courses required under  
1365 | paragraph (b) sub-subparagraphs (b)1.a.-c., as determined by the  
1366 | board, and at least 6 semester hours or 9 quarter hours of the  
1367 | course credits must have been completed in the area of marriage  
1368 | and family systems, theories, or techniques. Within the 2 ~~3~~  
1369 | years of required experience, the applicant shall provide direct  
1370 | individual, group, or family therapy and counseling, to include  
1371 | the following categories of cases: unmarried dyads, married  
1372 | couples, separating and divorcing couples, and family groups  
1373 | including children. A doctoral internship may be applied toward  
1374 | the clinical experience requirement. A licensed mental health  
1375 | professional must be on the premises when clinical services are

1376 provided by a registered intern in a private practice setting.

1377 (d) Has passed a theory and practice examination  
 1378 designated ~~provided~~ by the board ~~department~~ for this purpose.

1379 (e) Has demonstrated, in a manner designated by board rule  
 1380 ~~of the board~~, knowledge of the laws and rules governing the  
 1381 practice of clinical social work, marriage and family therapy,  
 1382 and mental health counseling.

1383 (f) For the purposes of dual licensure, the department  
 1384 shall license as a marriage and family therapist any person who  
 1385 meets the requirements of s. 491.0057. Fees for dual licensure  
 1386 shall not exceed those stated in this subsection.

1387 (4) MENTAL HEALTH COUNSELING.—Upon verification of  
 1388 documentation and payment of a fee not to exceed \$200, as set by  
 1389 board rule, plus the actual per applicant cost ~~to the department~~  
 1390 for purchase of the examination from the National Board for  
 1391 Certified Counselors or its successor ~~Professional Examination~~  
 1392 ~~Service for the National Academy of Certified Clinical Mental~~  
 1393 ~~Health Counselors or a similar national organization~~, the  
 1394 department shall issue a license as a mental health counselor to  
 1395 an applicant who the board certifies:

1396 (a) Has submitted an application and paid the appropriate  
 1397 fee.

1398 (b)1. Has a minimum of an earned master's degree from a  
 1399 mental health counseling program accredited by the Council for  
 1400 the Accreditation of Counseling and Related Educational Programs



1401 that consists of at least 60 semester hours or 80 quarter hours  
1402 of clinical and didactic instruction, ~~including a course in~~  
1403 ~~human sexuality and a course in substance abuse~~. If the master's  
1404 degree is earned from a program related to the practice of  
1405 mental health counseling that is not accredited by the Council  
1406 for the Accreditation of Counseling and Related Educational  
1407 Programs, then the coursework and practicum, internship, or  
1408 fieldwork must consist of at least 60 semester hours or 80  
1409 quarter hours and meet the following requirements:

1410 a. Thirty-three semester hours or 44 quarter hours of  
1411 graduate coursework, which must include a minimum of 3 semester  
1412 hours or 4 quarter hours of graduate-level coursework in each of  
1413 the following 11 content areas: counseling theories and  
1414 practice; human growth and development; diagnosis and treatment  
1415 of psychopathology; human sexuality; group theories and  
1416 practice; individual evaluation and assessment; career and  
1417 lifestyle assessment; research and program evaluation; social  
1418 and cultural foundations; substance abuse; and legal, ethical,  
1419 and professional standards issues in the practice of mental  
1420 health counseling in community settings; and substance abuse.  
1421 Courses in research, thesis or dissertation work, practicums,  
1422 internships, or fieldwork may not be applied toward this  
1423 requirement.

1424 b. A minimum of 3 semester hours or 4 quarter hours of  
1425 graduate-level coursework addressing diagnostic processes,

1426 | including differential diagnosis and the use of the current  
 1427 | diagnostic tools, such as the current edition of the American  
 1428 | Psychiatric Association's Diagnostic and Statistical Manual of  
 1429 | Mental Disorders. The graduate program must have emphasized the  
 1430 | common core curricular experience in legal, ethical, and  
 1431 | ~~professional standards issues in the practice of mental health~~  
 1432 | ~~counseling, which includes goals, objectives, and practices of~~  
 1433 | ~~professional counseling organizations, codes of ethics, legal~~  
 1434 | ~~considerations, standards of preparation, certifications and~~  
 1435 | ~~licensing, and the role identity and professional obligations of~~  
 1436 | ~~mental health counselors. Courses in research, thesis or~~  
 1437 | ~~dissertation work, practicums, internships, or fieldwork may not~~  
 1438 | ~~be applied toward this requirement.~~

1439 |       c. The equivalent, as determined by the board, of at least  
 1440 | 700 ~~1,000~~ hours of university-sponsored supervised clinical  
 1441 | practicum, internship, or field experience that includes at  
 1442 | least 280 hours of direct client services, as required in the  
 1443 | accrediting standards of the Council for Accreditation of  
 1444 | Counseling and Related Educational Programs for mental health  
 1445 | counseling programs. This experience may not be used to satisfy  
 1446 | the post-master's clinical experience requirement.

1447 |       2. If the course title which appears on the applicant's  
 1448 | transcript does not clearly identify the content of the  
 1449 | coursework, the applicant shall be required to provide  
 1450 | additional documentation, including, but not limited to, a

1451 syllabus or catalog description published for the course.  
1452  
1453 Education and training in mental health counseling must have  
1454 been received in an institution of higher education which at the  
1455 time the applicant graduated was: fully accredited by a regional  
1456 accrediting body recognized by the Council for Higher Education  
1457 Accreditation or its successor ~~Commission on Recognition of~~  
1458 ~~Postsecondary Accreditation~~; publicly recognized as a member in  
1459 good standing with ~~the Association of Universities and Colleges~~  
1460 ~~of~~ Canada; or an institution of higher education located outside  
1461 the United States and Canada, which at the time the applicant  
1462 was enrolled and at the time the applicant graduated maintained  
1463 a standard of training substantially equivalent to the standards  
1464 of training of those institutions in the United States which are  
1465 accredited by a regional accrediting body recognized by the  
1466 Council for Higher Education Accreditation or its successor  
1467 ~~Commission on Recognition of Postsecondary Accreditation~~. Such  
1468 foreign education and training must have been received in an  
1469 institution or program of higher education officially recognized  
1470 by the government of the country in which it is located as an  
1471 institution or program to train students to practice as mental  
1472 health counselors. The burden of establishing that the  
1473 requirements of this provision have been met shall be upon the  
1474 applicant, and the board shall require documentation, such as,  
1475 but not limited to, an evaluation by a foreign equivalency

1476 determination service, as evidence that the applicant's graduate  
1477 degree program and education were equivalent to an accredited  
1478 program in this country. Beginning July 1, 2026, an applicant  
1479 must have a master's degree in a program that is accredited by  
1480 the Council for Accreditation of Counseling and Related  
1481 Educational Programs which consists of at least 60 semester  
1482 hours or 80 quarter hours to apply for licensure under this  
1483 paragraph.

1484 (c) Has had at least 2 years of clinical experience in  
1485 mental health counseling, which must be at the post-master's  
1486 level under the supervision of a licensed mental health  
1487 counselor or the equivalent who is a qualified supervisor as  
1488 determined by the board. An individual who intends to practice  
1489 in Florida to satisfy the clinical experience requirements must  
1490 register pursuant to s. 491.0045 before commencing practice. If  
1491 a graduate has a master's degree with a major related to the  
1492 practice of mental health counseling that did not include all  
1493 the coursework required under sub-subparagraphs (b)1.a.-b.,  
1494 credit for the post-master's level clinical experience shall not  
1495 commence until the applicant has completed a minimum of seven of  
1496 the courses required under sub-subparagraphs (b)1.a.-b., as  
1497 determined by the board, one of which must be a course in  
1498 psychopathology or abnormal psychology. A doctoral internship  
1499 may be applied toward the clinical experience requirement. A  
1500 licensed mental health professional must be on the premises when

1501 clinical services are provided by a registered intern in a  
 1502 private practice setting.

1503 (d) Has passed a theory and practice examination  
 1504 designated ~~provided~~ by the board ~~department~~ for this purpose.

1505 (e) Has demonstrated, in a manner designated by board rule  
 1506 ~~of the board~~, knowledge of the laws and rules governing the  
 1507 practice of clinical social work, marriage and family therapy,  
 1508 and mental health counseling.

1509 Section 13. Subsection (3) of section 491.0057, Florida  
 1510 Statutes, is amended to read:

1511 491.0057 Dual licensure as a marriage and family  
 1512 therapist.—The department shall license as a marriage and family  
 1513 therapist any person who demonstrates to the board that he or  
 1514 she:

1515 (3) Has passed the examination designated ~~provided~~ by the  
 1516 board ~~department~~ for marriage and family therapy.

1517 Section 14. Paragraph (b) of subsection (1) of section  
 1518 491.006, Florida Statutes, is amended to read:

1519 491.006 Licensure or certification by endorsement.—

1520 (1) The department shall license or grant a certificate to  
 1521 a person in a profession regulated by this chapter who, upon  
 1522 applying to the department and remitting the appropriate fee,  
 1523 demonstrates to the board that he or she:

1524 (b)1. Holds an active valid license to practice and has  
 1525 actively practiced the profession for which licensure is applied

1526 in another state for 3 of the last 5 years immediately preceding  
1527 licensure.

1528 ~~2. Meets the education requirements of this chapter for~~  
1529 ~~the profession for which licensure is applied.~~

1530 2.3. Has passed a substantially equivalent licensing  
1531 examination in another state or has passed the licensure  
1532 examination in this state in the profession for which the  
1533 applicant seeks licensure.

1534 3.4. Holds a license in good standing, is not under  
1535 investigation for an act that would constitute a violation of  
1536 this chapter, and has not been found to have committed any act  
1537 that would constitute a violation of this chapter. ~~The fees paid~~  
1538 ~~by any applicant for certification as a master social worker~~  
1539 ~~under this section are nonrefundable.~~

1540 Section 15. Section 491.0065, Florida Statutes, is  
1541 repealed.

1542 Section 16. Subsections (2) and (3) of section 491.007,  
1543 Florida Statutes, are amended to read:

1544 491.007 Renewal of license, registration, or certificate.—

1545 (2) Each applicant for renewal shall present satisfactory  
1546 evidence that, in the period since the license or certificate  
1547 was issued, the applicant has completed continuing education  
1548 requirements set by rule of the board or department. Not more  
1549 than 25 classroom hours of continuing education per year shall  
1550 be required. ~~A certified master social worker is exempt from the~~

1551 ~~continuing education requirements for the first renewal of the~~  
1552 ~~certificate.~~

1553 ~~(3) The board or department shall prescribe by rule a~~  
1554 ~~method for the biennial renewal of an intern registration at a~~  
1555 ~~fee set by rule, not to exceed \$100.~~

1556 Section 17. Subsection (2) of section 491.009, Florida  
1557 Statutes, is amended to read:

1558 491.009 Discipline.—

1559 (2) ~~The department, or, in the case of psychologists, the~~  
1560 ~~board,~~ may enter an order denying licensure or imposing any of  
1561 the penalties in s. 456.072(2) against any applicant for  
1562 licensure or licensee who is found guilty of violating any  
1563 provision of subsection (1) of this section or who is found  
1564 guilty of violating any provision of s. 456.072(1).

1565 Section 18. Paragraph (a) of subsection (1) of section  
1566 491.012, Florida Statutes, is amended to read:

1567 491.012 Violations; penalty; injunction.—

1568 (1) It is unlawful and a violation of this chapter for any  
1569 person to:

1570 (a) Use the following titles or any combination thereof,  
1571 unless she or he holds a valid, active license as a clinical  
1572 social worker issued pursuant to this chapter:

- 1573 1. "Licensed clinical social worker."
- 1574 2. "Clinical social worker."
- 1575 3. "Licensed social worker."

1576 4. "Psychiatric social worker."

1577 5. "Psychosocial worker."

1578 6. "Certified master social worker."

1579 Section 19. Section 491.0145, Florida Statutes, is amended  
1580 to read:

1581 491.0145 Certified master social worker.—

1582 (1) The department shall license ~~may certify~~ an applicant  
1583 for a designation as a certified master social worker who, upon  
1584 applying to the department and remitting the appropriate fee,  
1585 demonstrates to the board that he or she has met the following  
1586 conditions:

1587 (a)-(1) The applicant has submitted ~~completes~~ an  
1588 application and has paid ~~to be provided by the department and~~  
1589 ~~pays~~ a nonrefundable fee not to exceed \$250 to be established by  
1590 rule of the board ~~department~~. ~~The completed application must be~~  
1591 ~~received by the department at least 60 days before the date of~~  
1592 ~~the examination in order for the applicant to qualify to take~~  
1593 ~~the scheduled exam.~~

1594 (b)-(2) The applicant submits proof satisfactory to the  
1595 board ~~department~~ that the applicant has received a doctoral  
1596 degree in social work, or a master's degree in social work with  
1597 a major emphasis or specialty in ~~clinical practice or~~  
1598 ~~administration, including, but not limited to, agency~~  
1599 ~~administration and supervision, program planning and evaluation,~~  
1600 ~~staff development, research, community organization, community~~



1601 services, social planning, and human service advocacy. Doctoral  
1602 degrees must have been received from a graduate school of social  
1603 work which at the time the applicant was enrolled and graduated  
1604 was accredited by an accrediting agency approved by the United  
1605 States Department of Education. Master's degrees must have been  
1606 received from a graduate school of social work which at the time  
1607 the applicant was enrolled and graduated was accredited by the  
1608 Council on Social Work Education or the Canadian Association of  
1609 Schools for ~~of~~ Social Work Education or by one that meets  
1610 comparable standards.

1611 (c)~~(3)~~ The applicant has had at least 2 ~~3~~ years'  
1612 experience, as defined by rule of the board, including, but not  
1613 limited to, clinical services or administrative activities as  
1614 defined in subsection (2), 2 years of which must be at the post-  
1615 master's level under the supervision of a person who meets the  
1616 education and experience requirements for certification as a  
1617 certified master social worker, as defined by rule of the board,  
1618 or licensure as a clinical social worker under this chapter. A  
1619 doctoral internship may be applied toward the supervision  
1620 requirement.

1621 (d)~~(4)~~ Any person who holds a master's degree in social  
1622 work from institutions outside the United States may apply to  
1623 the board ~~department~~ for certification if the academic training  
1624 in social work has been evaluated as equivalent to a degree from  
1625 a school accredited by the Council on Social Work Education. Any

1626 such person shall submit a copy of the academic training from  
1627 the Foreign Equivalency Determination Service of the Council on  
1628 Social Work Education.

1629 ~~(e)(5)~~ The applicant has passed an examination required by  
1630 the board department for this purpose. ~~The nonrefundable fee for~~  
1631 ~~such examination may not exceed \$250 as set by department rule.~~

1632 ~~(2)(6)~~ Nothing in this chapter shall be construed to  
1633 authorize a certified master social worker to provide clinical  
1634 social work services.

1635 (3) The board may adopt rules to implement this section.

1636 Section 20. Section 491.0149, Florida Statutes, is amended  
1637 to read:

1638 491.0149 Display of license; use of professional title on  
1639 promotional materials.—

1640 (1) (a) A person licensed under this chapter as a clinical  
1641 social worker, marriage and family therapist, or mental health  
1642 counselor, or certified as a master social worker shall  
1643 conspicuously display the valid license issued by the department  
1644 or a true copy thereof at each location at which the licensee  
1645 practices his or her profession.

1646 (b)1. A licensed clinical social worker shall include the  
1647 words "licensed clinical social worker" or the letters "LCSW" on  
1648 all promotional materials, including cards, brochures,  
1649 stationery, advertisements, social media, and signs, naming the  
1650 licensee.

1651           2. A licensed marriage and family therapist shall include  
1652 the words "licensed marriage and family therapist" or the  
1653 letters "LMFT" on all promotional materials, including cards,  
1654 brochures, stationery, advertisements, social media, and signs,  
1655 naming the licensee.

1656           3. A licensed mental health counselor shall include the  
1657 words "licensed mental health counselor" or the letters "LMHC"  
1658 on all promotional materials, including cards, brochures,  
1659 stationery, advertisements, social media, and signs, naming the  
1660 licensee.

1661           (c) A generalist social worker shall include the words  
1662 "certified master social worker" or the letters "CMSW" on all  
1663 promotional materials, including cards, brochures, stationery,  
1664 advertisements, social media, and signs, naming the licensee.

1665           (2) (a) A person registered under this chapter as a  
1666 clinical social worker intern, marriage and family therapist  
1667 intern, or mental health counselor intern shall conspicuously  
1668 display the valid registration issued by the department or a  
1669 true copy thereof at each location at which the registered  
1670 intern is completing the experience requirements.

1671           (b) A registered clinical social worker intern shall  
1672 include the words "registered clinical social worker intern," a  
1673 registered marriage and family therapist intern shall include  
1674 the words "registered marriage and family therapist intern," and  
1675 a registered mental health counselor intern shall include the

1676 words "registered mental health counselor intern" on all  
1677 promotional materials, including cards, brochures, stationery,  
1678 advertisements, social media, and signs, naming the registered  
1679 intern.

1680 (3) (a) A person provisionally licensed under this chapter  
1681 as a provisional clinical social worker licensee, provisional  
1682 marriage and family therapist licensee, or provisional mental  
1683 health counselor licensee shall conspicuously display the valid  
1684 provisional license issued by the department or a true copy  
1685 thereof at each location at which the provisional licensee is  
1686 providing services.

1687 (b) A provisional clinical social worker licensee shall  
1688 include the words "provisional clinical social worker licensee,"  
1689 a provisional marriage and family therapist licensee shall  
1690 include the words "provisional marriage and family therapist  
1691 licensee," and a provisional mental health counselor licensee  
1692 shall include the words "provisional mental health counselor  
1693 licensee" on all promotional materials, including cards,  
1694 brochures, stationery, advertisements, social media, and signs,  
1695 naming the provisional licensee.

1696 Section 21. Section 491.015, Florida Statutes, is  
1697 repealed.

1698 Section 22. Section 627.444, Florida Statutes, is created  
1699 to read:

1700 627.444 Credentialing.-

1701 (1) As used in this section, the term "health insurer"  
1702 means an authorized insurer offering health insurance as defined  
1703 in s. 624.603, a managed care plan as defined in s. 409.962, or  
1704 a health maintenance organization as defined in s. 641.19(12).

1705 (2) A health insurer or its designee must provide  
1706 electronic or written verification of receipt to an applicant  
1707 within 10 calendar days after the health insurer or its designee  
1708 receives the applicant's application.

1709 (3) (a) Upon receipt of an application, a health insurer or  
1710 its designee must promptly review the application to determine  
1711 whether it is complete. The health insurer or its designee must  
1712 conclude the credentialing process within 30 calendar days after  
1713 the date on which the health insurer or its designee determines  
1714 an application is complete.

1715 (b) If the health insurer or its designee determines that  
1716 the application is incomplete, the health insurer or its  
1717 designee must so notify the applicant in writing within 10  
1718 calendar days after the date on which the health insurer or its  
1719 designee received the application. The written notice must  
1720 include a detailed list of all items required to complete the  
1721 application. If the health insurer or its designee does not send  
1722 the notice within such period, the application is deemed  
1723 complete.

1724 (c) If the health insurer or its designee notifies the  
1725 applicant of an incomplete application in accordance with

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1726 paragraph (b), the period under paragraph (a) is tolled and the  
1727 application is suspended from the date on which the notice was  
1728 sent to the applicant until the date on which the health insurer  
1729 or its designee receives the required information from the  
1730 applicant.

1731 (d) The health insurer or its designee may request only  
1732 that information necessary for the health insurer or its  
1733 designee to fairly and responsibly review the application.

1734 (4) An applicant may bring an action in a court of  
1735 appropriate jurisdiction against a health insurer or its  
1736 designee for a violation of this section.

1737 Section 23. Paragraph (h) is added to subsection (10) of  
1738 section 768.28, Florida Statutes, to read:

1739 768.28 Waiver of sovereign immunity in tort actions;  
1740 recovery limits; limitation on attorney fees; statute of  
1741 limitations; exclusions; indemnification; risk management  
1742 programs.—

1743 (10)

1744 (h) For the purposes of this section, the representative  
1745 appointed from the Board of Medicine and the representative  
1746 appointed from the Board of Osteopathic Medicine, when serving  
1747 as commissioners of the Interstate Medical Licensure Compact  
1748 Commission pursuant to s. 456.4501, and any administrator,  
1749 officer, executive director, employee, or representative of the  
1750 Interstate Medical Licensure Compact Commission, when acting

1751 within the scope of their employment, duties, or  
1752 responsibilities in this state, are considered agents of the  
1753 state. The commission shall pay any claims or judgments pursuant  
1754 to this section and may maintain insurance coverage to pay any  
1755 such claims or judgments.

1756 Section 24. Paragraph (c) of subsection (4) of section  
1757 414.065, Florida Statutes, is amended to read:

1758 414.065 Noncompliance with work requirements.—

1759 (4) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.—Unless  
1760 otherwise provided, the situations listed in this subsection  
1761 shall constitute exceptions to the penalties for noncompliance  
1762 with participation requirements, except that these situations do  
1763 not constitute exceptions to the applicable time limit for  
1764 receipt of temporary cash assistance:

1765 (c) Noncompliance related to treatment or remediation of  
1766 past effects of domestic violence.—An individual who is  
1767 determined to be unable to comply with the work requirements  
1768 under this section due to mental or physical impairment related  
1769 to past incidents of domestic violence may be exempt from work  
1770 requirements, except that such individual shall comply with a  
1771 plan that specifies alternative requirements that prepare the  
1772 individual for self-sufficiency while providing for the safety  
1773 of the individual and the individual's dependents. A participant  
1774 who is determined to be out of compliance with the alternative  
1775 requirement plan shall be subject to the penalties under

1776 subsection (1). The plan must include counseling or a course of  
 1777 treatment necessary for the individual to resume participation.  
 1778 The need for treatment and the expected duration of such  
 1779 treatment must be verified by a physician licensed under chapter  
 1780 458 or chapter 459; a psychologist licensed under s. 490.005(1),  
 1781 s. 490.006, or the provision identified as s. 490.013(2) in s.  
 1782 1, chapter 81-235, Laws of Florida; a therapist as defined in s.  
 1783 491.003(3) or (7) ~~s. 491.003(2) or (6)~~; or a treatment  
 1784 professional who is registered under s. 39.905(1)(g), is  
 1785 authorized to maintain confidentiality under s. 90.5036(1)(d),  
 1786 and has a minimum of 2 years' ~~years~~ experience at a certified  
 1787 domestic violence center. An exception granted under this  
 1788 paragraph does not automatically constitute an exception from  
 1789 the time limitations on benefits specified under s. 414.105.

1790 Section 25. This act shall take effect July 1, 2020.