

1                                   A bill to be entitled  
2           An act relating to the Department of Health; amending  
3           s. 381.0042, F.S.; revising the purpose of patient  
4           care networks from serving patients with acquired  
5           immune deficiency syndrome to serving those with human  
6           immunodeficiency virus; conforming provisions to  
7           changes made by the act; deleting obsolete language;  
8           amending s. 381.4018, F.S.; requiring the Department  
9           of Health to develop strategies to maximize federal-  
10          state partnerships that provide incentives for  
11          physicians to practice in medically underserved or  
12          rural areas; authorizing the department to adopt  
13          certain rules; amending s. 404.22, F.S.; revising the  
14          method by which registration fees for radiation  
15          machines are assessed by the department; revising  
16          provisions relating to the fee schedule and frequency  
17          of inspections for certain radiation machines;  
18          requiring that certain radiation machines meet  
19          specified criteria; amending s. 456.013, F.S.;  
20          revising health care practitioner licensure  
21          application requirements; authorizing the board or  
22          department to issue a temporary license to certain  
23          applicants which expires after 60 days; amending s.  
24          458.3145, F.S.; revising the list of individuals who  
25          may be issued a medical faculty certificate without

26 examination; amending s. 458.3312, F.S.; removing a  
27 prohibition against physicians representing themselves  
28 as board-certified specialists in dermatology unless  
29 the recognizing agency is reviewed and reauthorized on  
30 a specified basis by the Board of Medicine; amending  
31 s. 459.0055, F.S.; revising licensure requirements for  
32 a person seeking licensure or certification as an  
33 osteopathic physician; repealing s. 460.4166, F.S.,  
34 relating to registered chiropractic assistants;  
35 amending s. 464.019, F.S.; extending through 2025 the  
36 Florida Center for Nursing's responsibility to study  
37 and issue an annual report on the implementation of  
38 nursing education programs; amending s. 464.202, F.S.;  
39 requiring the Board of Nursing to adopt rules that  
40 include disciplinary procedures and standards of  
41 practice for certified nursing assistants; amending s.  
42 464.203, F.S.; revising certification requirements for  
43 nursing assistants; amending s. 464.204, F.S.;  
44 revising grounds for board-imposed disciplinary  
45 sanctions; amending s. 466.006, F.S.; revising certain  
46 examination requirements for applicants seeking dental  
47 licensure; reviving, reenacting, and amending s.  
48 466.0067, F.S., relating to the application for a  
49 health access dental license; reviving, reenacting,  
50 and amending s. 466.00671, F.S., relating to the

51 renewal of such a license; reviving and reenacting s.  
52 466.00672, F.S., relating to the revocation of such a  
53 license; amending s. 466.007, F.S.; revising  
54 requirements for examinations of dental hygienists;  
55 amending s. 466.017, F.S.; requiring dentists and  
56 certified registered dental hygienists to report in  
57 writing certain adverse incidents to the department  
58 within a specified timeframe; providing for  
59 disciplinary action by the Board of Dentistry for  
60 violations; defining the term "adverse incident";  
61 authorizing the board to adopt rules; amending s.  
62 466.031, F.S.; making technical changes; authorizing  
63 an employee or an independent contractor of a dental  
64 laboratory, acting as an agent of that dental  
65 laboratory, to engage in onsite consultation with a  
66 licensed dentist during a dental procedure; amending  
67 s. 466.036, F.S.; revising the frequency of dental  
68 laboratory inspections during a specified period;  
69 amending s. 468.701, F.S.; revising the definition of  
70 the term "athletic trainer"; deleting a requirement  
71 that is relocated to another section; amending s.  
72 468.707, F.S.; revising athletic trainer licensure  
73 requirements; amending s. 468.711, F.S.; requiring  
74 certain licensees to maintain certification in good  
75 standing without lapse as a condition of renewal of

76 | their athletic trainer licenses; amending s. 468.713,  
77 | F.S.; requiring that an athletic trainer work within a  
78 | specified scope of practice; relocating an existing  
79 | requirement that was stricken from another section;  
80 | amending s. 468.723, F.S.; requiring the direct  
81 | supervision of an athletic training student to be in  
82 | accordance with rules adopted by the Board of Athletic  
83 | Training; amending s. 468.803, F.S.; revising  
84 | orthotic, prosthetic, and pedorthic licensure,  
85 | registration, and examination requirements; amending  
86 | s. 480.033, F.S.; revising the definition of the term  
87 | "apprentice"; amending s. 480.041, F.S.; revising  
88 | qualifications for licensure as a massage therapist;  
89 | specifying that massage apprentices licensed before a  
90 | specified date may continue to perform massage therapy  
91 | as authorized under their licenses; authorizing  
92 | massage apprentices to apply for full licensure upon  
93 | completion of their apprenticeships, under certain  
94 | conditions; repealing s. 480.042, F.S., relating to  
95 | examinations for licensure as a massage therapist;  
96 | amending s. 490.003, F.S.; revising the definition of  
97 | the terms "doctoral-level psychological education" and  
98 | "doctoral degree in psychology"; amending s. 490.005,  
99 | F.S.; revising requirements for licensure by  
100 | examination of psychologists and school psychologists;

101 amending s. 490.006, F.S.; revising requirements for  
102 licensure by endorsement of psychologists and school  
103 psychologists; amending s. 491.0045, F.S.; exempting  
104 clinical social worker interns, marriage and family  
105 therapist interns, and mental health counselor interns  
106 from registration requirements, under certain  
107 circumstances; amending s. 491.005, F.S.; revising  
108 requirements for the licensure by examination of  
109 marriage and family therapists; revising requirements  
110 for the licensure by examination of mental health  
111 counselors; amending s. 491.006, F.S.; revising  
112 requirements for licensure by endorsement or  
113 certification for specified professions; amending s.  
114 491.007, F.S.; removing a biennial intern registration  
115 fee; amending s. 491.009, F.S.; authorizing the Board  
116 of Clinical Social Work, Marriage and Family Therapy,  
117 and Mental Health Counseling or, under certain  
118 circumstances, the department to enter an order  
119 denying licensure or imposing penalties against an  
120 applicant for licensure under certain circumstances;  
121 amending ss. 491.0046 and 945.42, F.S.; conforming  
122 cross-references; providing an effective date.

123

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

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126 Section 1. Section 381.0042, Florida Statutes, is amended  
127 to read:

128 381.0042 Patient care for persons with HIV infection.—The  
129 department may establish human immunodeficiency virus ~~acquired~~  
130 ~~immune deficiency syndrome~~ patient care networks in each region  
131 of the state where the number ~~numbers~~ of cases of ~~acquired~~  
132 ~~immune deficiency syndrome~~ and other human immunodeficiency  
133 virus transmission ~~infections~~ justifies the establishment of  
134 cost-effective regional patient care networks. Such networks  
135 shall be delineated by rule of the department which shall take  
136 into account natural trade areas and centers of medical  
137 excellence that specialize in the treatment of human  
138 immunodeficiency virus ~~acquired immune deficiency syndrome~~, as  
139 well as available federal, state, and other funds. Each patient  
140 care network shall include representation of persons with human  
141 immunodeficiency virus infection; health care providers;  
142 business interests; the department, including, but not limited  
143 to, county health departments; and local units of government.  
144 Each network shall plan for the care and treatment of persons  
145 with human immunodeficiency virus ~~acquired immune deficiency~~  
146 ~~syndrome and acquired immune deficiency syndrome related complex~~  
147 in a cost-effective, dignified manner that ~~which~~ emphasizes  
148 outpatient and home care. Once per each year, ~~beginning April~~  
149 ~~1989~~, each network shall make its recommendations concerning the  
150 needs for patient care to the department.

151 Section 2. Subsection (3) of section 381.4018, Florida  
152 Statutes, is amended to read:

153 381.4018 Physician workforce assessment and development.—

154 (3) GENERAL FUNCTIONS.—The department shall maximize the  
155 use of existing programs under the jurisdiction of the  
156 department and other state agencies and coordinate governmental  
157 and nongovernmental stakeholders and resources in order to  
158 develop a state strategic plan and assess the implementation of  
159 such strategic plan. In developing the state strategic plan, the  
160 department shall:

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

165 (b) Develop a model and quantify, on an ongoing basis, the  
166 adequacy of the state's current and future physician workforce  
167 as reliable data becomes available. Such model must take into  
168 account demographics, physician practice status, place of  
169 education and training, generational changes, population growth,  
170 economic indicators, and issues concerning the "pipeline" into  
171 medical education.

172 (c) Develop and recommend strategies to determine whether  
173 the number of qualified medical school applicants who might  
174 become competent, practicing physicians in this state will be  
175 sufficient to meet the capacity of the state's medical schools.

176 If appropriate, the department shall, working with  
177 representatives of appropriate governmental and nongovernmental  
178 entities, develop strategies and recommendations and identify  
179 best practice programs that introduce health care as a  
180 profession and strengthen skills needed for medical school  
181 admission for elementary, middle, and high school students, and  
182 improve premedical education at the precollege and college level  
183 in order to increase this state's potential pool of medical  
184 students.

185 (d) Develop strategies to ensure that the number of  
186 graduates from the state's public and private allopathic and  
187 osteopathic medical schools is adequate to meet physician  
188 workforce needs, based on the analysis of the physician  
189 workforce data, so as to provide a high-quality medical  
190 education to students in a manner that recognizes the uniqueness  
191 of each new and existing medical school in this state.

192 (e) Pursue strategies and policies to create, expand, and  
193 maintain graduate medical education positions in the state based  
194 on the analysis of the physician workforce data. Such strategies  
195 and policies must take into account the effect of federal  
196 funding limitations on the expansion and creation of positions  
197 in graduate medical education. The department shall develop  
198 options to address such federal funding limitations. The  
199 department shall consider options to provide direct state  
200 funding for graduate medical education positions in a manner



201 that addresses requirements and needs relative to accreditation  
202 of graduate medical education programs. The department shall  
203 consider funding residency positions as a means of addressing  
204 needed physician specialty areas, rural areas having a shortage  
205 of physicians, and areas of ongoing critical need, and as a  
206 means of addressing the state's physician workforce needs based  
207 on an ongoing analysis of physician workforce data.

208 (f) Develop strategies to maximize federal and state  
209 programs that provide for the use of incentives to attract  
210 physicians to this state or retain physicians within the state.  
211 Such strategies should explore and maximize federal-state  
212 partnerships that provide incentives for physicians to practice  
213 in federally designated shortage areas, in otherwise medically  
214 underserved areas, or in rural areas. Strategies shall also  
215 consider the use of state programs, such as the Medical  
216 Education Reimbursement and Loan Repayment Program pursuant to  
217 s. 1009.65, which provide for education loan repayment or loan  
218 forgiveness and provide monetary incentives for physicians to  
219 relocate to underserved areas of the state.

220 (g) Coordinate and enhance activities relative to  
221 physician workforce needs, undergraduate medical education,  
222 graduate medical education, and reentry of retired military and  
223 other physicians into the physician workforce provided by the  
224 Division of Medical Quality Assurance, area health education  
225 center networks established pursuant to s. 381.0402, and other

226 offices and programs within the department as designated by the  
227 State Surgeon General.

228 (h) Work in conjunction with and act as a coordinating  
229 body for governmental and nongovernmental stakeholders to  
230 address matters relating to the state's physician workforce  
231 assessment and development for the purpose of ensuring an  
232 adequate supply of well-trained physicians to meet the state's  
233 future needs. Such governmental stakeholders shall include, but  
234 need not be limited to, the State Surgeon General or his or her  
235 designee, the Commissioner of Education or his or her designee,  
236 the Secretary of Health Care Administration or his or her  
237 designee, and the Chancellor of the State University System or  
238 his or her designee, and, at the discretion of the department,  
239 other representatives of state and local agencies that are  
240 involved in assessing, educating, or training the state's  
241 current or future physicians. Other stakeholders shall include,  
242 but need not be limited to, organizations representing the  
243 state's public and private allopathic and osteopathic medical  
244 schools; organizations representing hospitals and other  
245 institutions providing health care, particularly those that  
246 currently provide or have an interest in providing accredited  
247 medical education and graduate medical education to medical  
248 students and medical residents; organizations representing  
249 allopathic and osteopathic practicing physicians; and, at the  
250 discretion of the department, representatives of other

251 organizations or entities involved in assessing, educating, or  
252 training the state's current or future physicians.

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

256 (j) Act as a clearinghouse for collecting and  
257 disseminating information concerning the physician workforce and  
258 medical education continuum in this state.

259

260 The department may adopt rules to implement this subsection,  
261 including rules that establish guidelines to implement the  
262 federal Conrad 30 Waiver Program created under s. 214(1) of the  
263 Immigration and Nationality Act.

264 Section 3. Subsection (5) of section 404.22, Florida  
265 Statutes, is amended, and subsection (7) is added to that  
266 section, to read:

267 404.22 Radiation machines and components; inspection.—

268 (5) (a) The department may charge and collect reasonable  
269 fees annually for the registration and inspection of radiation  
270 machines pursuant to this section. Such fees shall include the  
271 registration fee provided in s. 404.131 and shall be deposited  
272 into the Radiation Protection Trust Fund. Registration shall be  
273 on an annual basis. Registration shall consist of having the  
274 registrant file, on forms prescribed and furnished by the  
275 department, information which includes, but is not limited to:

276 type and number of radiation machines, location of radiation  
277 machines, and changes in ownership. The department shall  
278 establish by rule a fee schedule based upon the actual costs  
279 incurred by the department in carrying out its registration and  
280 inspection responsibilities, including the salaries, expenses,  
281 and equipment of inspectors, and a prorated share of all ~~but~~  
282 ~~excluding~~ costs of supervision, and program administration, and  
283 central services. Fees shall be assessed according to the number  
284 of radiation machines possessed by the registrant, with the fee  
285 associated with the first radiation machine to include all costs  
286 as if it was the only machine registered. The fee for each  
287 additional radiation machine shall include the incremental costs  
288 associated with determining that each additional machine  
289 complies with the standards as set forth in this chapter and the  
290 rules adopted hereunder. The fee schedule shall reflect  
291 differences in the frequency and complexity of inspections  
292 necessary to ensure that the radiation machines are functioning  
293 in accordance with the applicable standards developed pursuant  
294 to this chapter and rules adopted pursuant hereto.

295 (b) The fee schedule and frequency of inspections shall be  
296 determined as follows:

297 1. Radiation machines that have a peak voltage greater  
298 than 80 kilovolts, are used to intentionally expose natural  
299 persons to the useful beam, and ~~which~~ are used in, but not  
300 limited to, the practice of medicine, chiropractic medicine,

301 osteopathic medicine, or naturopathic medicine shall be  
302 inspected at least once every 2 years, ~~but not more than~~  
303 ~~annually, for an annual fee which is not less than \$83 or more~~  
304 ~~than \$145 for the first radiation machine within an office or~~  
305 ~~facility and not less than \$36 or more than \$85 for each~~  
306 ~~additional radiation machine therein.~~

307 ~~2. Radiation machines which are used in the practice of~~  
308 ~~veterinary medicine shall be inspected at least once every 3~~  
309 ~~years for an annual fee which is not less than \$28 or more than~~  
310 ~~\$50 for the first radiation machine within an office or facility~~  
311 ~~and not less than \$19 or more than \$34 for each additional~~  
312 ~~radiation machine therein.~~

313 ~~3. Radiation machines which are used for educational or~~  
314 ~~industrial purposes shall be inspected at least once every 3~~  
315 ~~years for an annual fee which is not less than \$26 or more than~~  
316 ~~\$47 for the first radiation machine within an office or facility~~  
317 ~~and not less than \$12 or more than \$23 for each additional~~  
318 ~~radiation machine therein.~~

319 2.4. Radiation machines that have a peak voltage equal to  
320 or less than 80 kilovolts, are used to intentionally expose  
321 natural persons to the useful beam, and which are used in, but  
322 not limited to, the practice of dentistry or podiatric medicine  
323 shall be inspected at least once every 5 years but not more  
324 often than once every 4 years ~~for an annual fee which is not~~  
325 ~~less than \$16 or more than \$31 for the first radiation machine~~

326 ~~within an office or facility and not less than \$5 or more than~~  
327 ~~\$11 for each additional radiation machine therein.~~

328 3.5. Radiation machines that are used for therapeutic  
329 purposes or that ~~which~~ accelerate particles and are used in the  
330 healing arts or veterinary medicine shall be inspected at least  
331 annually ~~for an annual fee which is not less than \$153 or more~~  
332 ~~than \$258 for the first radiation machine within an office or~~  
333 ~~facility and not less than \$87 or more than \$148 for each~~  
334 ~~additional radiation machine therein.~~

335 4.6. Radiation machines that ~~which~~ accelerate particles  
336 and do not expose natural persons to the useful beam ~~are used~~  
337 ~~for educational or industrial purposes~~ shall be inspected at  
338 least once every 2 years ~~for an annual fee which is not less~~  
339 ~~than \$46 or more than \$81 for the first radiation machine within~~  
340 ~~an office or facility and not less than \$26 or more than \$48 for~~  
341 ~~each additional radiation machine therein.~~

342 5. Radiation machines that are not intended to expose  
343 natural persons to the useful beam and are not otherwise  
344 described in this paragraph shall be inspected at least once  
345 every 3 years.

346 6.7. If a radiation machine fails to meet the applicable  
347 standards upon initial inspection, the department may reinspect  
348 the radiation machine and charge a reinspection fee in  
349 accordance with the same schedule of fees adopted under  
350 paragraph (a) as in subparagraphs 1.-6.

351 (c) Radiation machines that meet more than one of the  
352 criteria listed in paragraph (b) shall be inspected at the most  
353 frequent schedule applicable.

354 (7) Radiation machines that are used to intentionally  
355 expose natural persons to the useful beam must meet the  
356 following criteria:

357 (a) Be operated and maintained in accordance with the  
358 manufacturer's standards or nationally recognized consensus  
359 standards accepted by the department.

360 (b) Be operated at the lowest exposure that will achieve  
361 the intended purpose of the exposure.

362 (c) Not be modified in a manner that causes the original  
363 parts to operate outside the original manufacturer's design  
364 specifications or the parameters approved for the radiation  
365 machine and its components by the United States Food and Drug  
366 Administration.

367 Section 4. Paragraphs (a) and (b) of subsection (1) of  
368 section 456.013, Florida Statutes, are amended to read:

369 456.013 Department; general licensing provisions.—

370 (1) (a) Any person desiring to be licensed in a profession  
371 within the jurisdiction of the department must ~~shall~~ apply to  
372 the department in writing ~~to take the licensure examination~~. The  
373 application must ~~shall~~ be made on a form prepared and furnished  
374 by the department. The application form must be available on the  
375 Internet, ~~World Wide Web~~ and the department may accept

376 | electronically submitted applications. The application shall  
377 | require the social security number and date of birth of the  
378 | applicant, except as provided in paragraphs (b) and (c). The  
379 | form shall be supplemented as needed to reflect any material  
380 | change in any circumstance or condition stated in the  
381 | application which takes place between the initial filing of the  
382 | application and the final grant or denial of the license and  
383 | which might affect the decision of the department. If an  
384 | application is submitted electronically, the department may  
385 | require supplemental materials, including an original signature  
386 | of the applicant and verification of credentials, to be  
387 | submitted in a nonelectronic format. An incomplete application  
388 | shall expire 1 year after initial filing. In order to further  
389 | the economic development goals of the state, and notwithstanding  
390 | any law to the contrary, the department may enter into an  
391 | agreement with the county tax collector for the purpose of  
392 | appointing the county tax collector as the department's agent to  
393 | accept applications for licenses and applications for renewals  
394 | of licenses. The agreement must specify the time within which  
395 | the tax collector must forward any applications and accompanying  
396 | application fees to the department.

397 |       (b) If an applicant has not been issued a social security  
398 | number by the Federal Government at the time of application  
399 | because the applicant is not a citizen or resident of this  
400 | country, the department may process the application using a



401 unique personal identification number. If such an applicant is  
 402 otherwise eligible for licensure, the board, or the department  
 403 when there is no board, may issue a temporary license to the  
 404 applicant, which shall expire 30 days after issuance unless a  
 405 social security number is obtained and submitted in writing to  
 406 the department. A temporary license issued under this paragraph  
 407 to an applicant who has accepted a position with an accredited  
 408 residency, internship, or fellowship program in this state and  
 409 is applying for registration under s. 458.345 or s. 459.021  
 410 shall expire 60 days after issuance unless the applicant obtains  
 411 a social security number and submits it in writing to the  
 412 department. Upon receipt of the applicant's social security  
 413 number, the department shall issue a new license, which shall  
 414 expire at the end of the current biennium.

415 Section 5. Subsection (1) of section 458.3145, Florida  
 416 Statutes, is amended to read:

417 458.3145 Medical faculty certificate.—

418 (1) A medical faculty certificate may be issued without  
 419 examination to an individual who:

420 (a) Is a graduate of an accredited medical school or its  
 421 equivalent, or is a graduate of a foreign medical school listed  
 422 with the World Health Organization;

423 (b) Holds a valid, current license to practice medicine in  
 424 another jurisdiction;

425 (c) Has completed the application form and remitted a

426 nonrefundable application fee not to exceed \$500;

427 (d) Has completed an approved residency or fellowship of  
428 at least 1 year or has received training which has been  
429 determined by the board to be equivalent to the 1-year residency  
430 requirement;

431 (e) Is at least 21 years of age;

432 (f) Is of good moral character;

433 (g) Has not committed any act in this or any other  
434 jurisdiction which would constitute the basis for disciplining a  
435 physician under s. 458.331;

436 (h) For any applicant who has graduated from medical  
437 school after October 1, 1992, has completed, before entering  
438 medical school, the equivalent of 2 academic years of  
439 preprofessional, postsecondary education, as determined by rule  
440 of the board, which must include, at a minimum, courses in such  
441 fields as anatomy, biology, and chemistry; and

442 (i) Has been offered and has accepted a full-time faculty  
443 appointment to teach in a program of medicine at:

- 444 1. The University of Florida;
- 445 2. The University of Miami;
- 446 3. The University of South Florida;
- 447 4. The Florida State University;
- 448 5. The Florida International University;
- 449 6. The University of Central Florida;
- 450 7. The Mayo Clinic College of Medicine and Science in

451 Jacksonville, Florida;

452 8. The Florida Atlantic University; ~~or~~

453 9. The Johns Hopkins All Children's Hospital in St.  
454 Petersburg, Florida;

455 10. Nova Southeastern University; or

456 11. Lake Erie College of Osteopathic Medicine.

457 Section 6. Section 458.3312, Florida Statutes, is amended  
458 to read:

459 458.3312 Specialties.—A physician licensed under this  
460 chapter may not hold himself or herself out as a board-certified  
461 specialist unless the physician has received formal recognition  
462 as a specialist from a specialty board of the American Board of  
463 Medical Specialties or other recognizing agency that has been  
464 approved by the board. However, a physician may indicate the  
465 services offered and may state that his or her practice is  
466 limited to one or more types of services when this accurately  
467 reflects the scope of practice of the physician. ~~A physician may  
468 not hold himself or herself out as a board-certified specialist  
469 in dermatology unless the recognizing agency, whether authorized  
470 in statute or by rule, is triennially reviewed and reauthorized  
471 by the Board of Medicine.~~

472 Section 7. Subsection (1) of section 459.0055, Florida  
473 Statutes, is amended to read:

474 459.0055 General licensure requirements.—

475 (1) Except as otherwise provided herein, any person

476 | desiring to be licensed or certified as an osteopathic physician  
 477 | pursuant to this chapter shall:

478 |       (a) Complete an application form and submit the  
 479 | appropriate fee to the department;

480 |       (b) Be at least 21 years of age;

481 |       (c) Be of good moral character;

482 |       (d) Have completed at least 3 years of preprofessional  
 483 | postsecondary education;

484 |       (e) Have not previously committed any act that would  
 485 | constitute a violation of this chapter, unless the board  
 486 | determines that such act does not adversely affect the  
 487 | applicant's present ability and fitness to practice osteopathic  
 488 | medicine;

489 |       (f) Not be under investigation in any jurisdiction for an  
 490 | act that would constitute a violation of this chapter. If, upon  
 491 | completion of such investigation, it is determined that the  
 492 | applicant has committed an act that would constitute a violation  
 493 | of this chapter, the applicant is ineligible for licensure  
 494 | unless the board determines that such act does not adversely  
 495 | affect the applicant's present ability and fitness to practice  
 496 | osteopathic medicine;

497 |       (g) Have not had an application for a license to practice  
 498 | osteopathic medicine denied or a license to practice osteopathic  
 499 | medicine revoked, suspended, or otherwise acted against by the  
 500 | licensing authority of any jurisdiction unless the board

501 determines that the grounds on which such action was taken do  
502 not adversely affect the applicant's present ability and fitness  
503 to practice osteopathic medicine. A licensing authority's  
504 acceptance of a physician's relinquishment of license,  
505 stipulation, consent order, or other settlement, offered in  
506 response to or in anticipation of the filing of administrative  
507 charges against the osteopathic physician, shall be considered  
508 action against the osteopathic physician's license;

509 (h) Not have received less than a satisfactory evaluation  
510 from an internship, residency, or fellowship training program,  
511 unless the board determines that such act does not adversely  
512 affect the applicant's present ability and fitness to practice  
513 osteopathic medicine. Such evaluation shall be provided by the  
514 director of medical education from the medical training  
515 facility;

516 (i) Have met the criteria set forth in s. 459.0075, s.  
517 459.0077, or s. 459.021, whichever is applicable;

518 (j) Submit to the department a set of fingerprints on a  
519 form and under procedures specified by the department, along  
520 with a payment in an amount equal to the costs incurred by the  
521 Department of Health for the criminal background check of the  
522 applicant;

523 (k) Demonstrate that ~~he or~~ she or he is a graduate of a  
524 medical college recognized and approved by the American  
525 Osteopathic Association;

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526 (1) Demonstrate that she or he has successfully completed  
527 an internship or residency ~~a resident internship~~ of not less  
528 than 12 months in a program accredited ~~hospital approved~~ for  
529 this purpose by ~~the Board of Trustees of~~ the American  
530 Osteopathic Association or the Accreditation Council for  
531 Graduate Medical Education ~~any other internship program approved~~  
532 ~~by the board upon a showing of good cause by the applicant.~~ This  
533 requirement may be waived for an applicant who matriculated in a  
534 college of osteopathic medicine during or before 1948; and

535 (m) Demonstrate that she or he has obtained a passing  
536 score, as established by rule of the board, on all parts of the  
537 examination conducted by the National Board of Osteopathic  
538 Medical Examiners or other examination approved by the board no  
539 more than 5 years before making application in this state or, if  
540 holding a valid active license in another state, that the  
541 initial licensure in the other state occurred no more than 5  
542 years after the applicant obtained a passing score on the  
543 examination conducted by the National Board of Osteopathic  
544 Medical Examiners or other substantially similar examination  
545 approved by the board.

546 Section 8. Section 460.4166, Florida Statutes, is  
547 repealed.

548 Section 9. Subsection (10) of section 464.019, Florida  
549 Statutes, is amended to read:

550 464.019 Approval of nursing education programs.—

551 (10) IMPLEMENTATION STUDY.—The Florida Center for Nursing  
552 shall study the administration of this section and submit  
553 reports to the Governor, the President of the Senate, and the  
554 Speaker of the House of Representatives annually by January 30,  
555 through January 30, 2025 ~~2020~~. The annual reports shall address  
556 the previous academic year; provide data on the measures  
557 specified in paragraphs (a) and (b), as such data becomes  
558 available; and include an evaluation of such data for purposes  
559 of determining whether this section is increasing the  
560 availability of nursing education programs and the production of  
561 quality nurses. The department and each approved program or  
562 accredited program shall comply with requests for data from the  
563 Florida Center for Nursing.

564 (a) The Florida Center for Nursing shall evaluate program-  
565 specific data for each approved program and accredited program  
566 conducted in the state, including, but not limited to:

567 1. The number of programs and student slots available.

568 2. The number of student applications submitted, the  
569 number of qualified applicants, and the number of students  
570 accepted.

571 3. The number of program graduates.

572 4. Program retention rates of students tracked from  
573 program entry to graduation.

574 5. Graduate passage rates on the National Council of State  
575 Boards of Nursing Licensing Examination.

576           6. The number of graduates who become employed as  
577 practical or professional nurses in the state.

578           (b) The Florida Center for Nursing shall evaluate the  
579 board's implementation of the:

580           1. Program application approval process, including, but  
581 not limited to, the number of program applications submitted  
582 under subsection (1), + the number of program applications  
583 approved and denied by the board under subsection (2), + the  
584 number of denials of program applications reviewed under chapter  
585 120, + and a description of the outcomes of those reviews.

586           2. Accountability processes, including, but not limited  
587 to, the number of programs on probationary status, the number of  
588 approved programs for which the program director is required to  
589 appear before the board under subsection (5), the number of  
590 approved programs terminated by the board, the number of  
591 terminations reviewed under chapter 120, and a description of  
592 the outcomes of those reviews.

593           (c) The Florida Center for Nursing shall complete an  
594 annual assessment of compliance by programs with the  
595 accreditation requirements of subsection (11), include in the  
596 assessment a determination of the accreditation process status  
597 for each program, and submit the assessment as part of the  
598 reports required by this subsection.

599           Section 10. Section 464.202, Florida Statutes, is amended  
600 to read:



601           464.202 Duties and powers of the board.—The board shall  
602 maintain, or contract with or approve another entity to  
603 maintain, a state registry of certified nursing assistants. The  
604 registry must consist of the name of each certified nursing  
605 assistant in this state; other identifying information defined  
606 by board rule; certification status; the effective date of  
607 certification; other information required by state or federal  
608 law; information regarding any crime or any abuse, neglect, or  
609 exploitation as provided under chapter 435; and any disciplinary  
610 action taken against the certified nursing assistant. The  
611 registry shall be accessible to the public, the  
612 certificateholder, employers, and other state agencies. The  
613 board shall adopt by rule testing procedures for use in  
614 certifying nursing assistants and shall adopt rules regulating  
615 the practice of certified nursing assistants, including  
616 disciplinary procedures and standards of practice, and  
617 specifying the scope of practice authorized and the level of  
618 supervision required for the practice of certified nursing  
619 assistants. The board may contract with or approve another  
620 entity or organization to provide the examination services,  
621 including the development and administration of examinations.  
622 The board shall require that the contract provider offer  
623 certified nursing assistant applications via the Internet, and  
624 may require the contract provider to accept certified nursing  
625 assistant applications for processing via the Internet. The

626 board shall require the contract provider to provide the  
627 preliminary results of the certified nursing examination on the  
628 date the test is administered. The provider shall pay all  
629 reasonable costs and expenses incurred by the board in  
630 evaluating the provider's application and performance during the  
631 delivery of services, including examination services and  
632 procedures for maintaining the certified nursing assistant  
633 registry.

634 Section 11. Paragraph (c) of subsection (1) of section  
635 464.203, Florida Statutes, is amended to read:

636 464.203 Certified nursing assistants; certification  
637 requirement.—

638 (1) The board shall issue a certificate to practice as a  
639 certified nursing assistant to any person who demonstrates a  
640 minimum competency to read and write and successfully passes the  
641 required background screening pursuant to s. 400.215. If the  
642 person has successfully passed the required background screening  
643 pursuant to s. 400.215 or s. 408.809 within 90 days before  
644 applying for a certificate to practice and the person's  
645 background screening results are not retained in the  
646 clearinghouse created under s. 435.12, the board shall waive the  
647 requirement that the applicant successfully pass an additional  
648 background screening pursuant to s. 400.215. The person must  
649 also meet one of the following requirements:

650 (c) Is currently certified in another state or territory

651 of the United States or in the District of Columbia; is listed  
652 on that jurisdiction's ~~state's~~ certified nursing assistant  
653 registry; and has not been found to have committed abuse,  
654 neglect, or exploitation in that jurisdiction ~~state~~.

655 Section 12. Paragraph (b) of subsection (1) of section  
656 464.204, Florida Statutes, is amended to read:

657 464.204 Denial, suspension, or revocation of  
658 certification; disciplinary actions.—

659 (1) The following acts constitute grounds for which the  
660 board may impose disciplinary sanctions as specified in  
661 subsection (2):

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

664 Section 13. Subsections (3) and (4) of section 466.006,  
665 Florida Statutes, are amended to read:

666 466.006 Examination of dentists.—

667 (3) If an applicant is a graduate of a dental college or  
668 school not accredited in accordance with paragraph (2)(b) or of  
669 a dental college or school not approved by the board, the  
670 applicant is not entitled to take the examinations required in  
671 this section to practice dentistry until she or he satisfies one  
672 of the following:

673 (a) Completes a program of study, as defined by the board  
674 by rule, at an accredited American dental school and  
675 demonstrates receipt of a D.D.S. or D.M.D. from said school; or

676 (b) Submits proof of having successfully completed at  
677 least 2 consecutive academic years at a full-time supplemental  
678 general dentistry program accredited by the American Dental  
679 Association Commission on Dental Accreditation. This program  
680 must provide didactic and clinical education at the level of a  
681 D.D.S. or D.M.D. program accredited by the American Dental  
682 Association Commission on Dental Accreditation. For purposes of  
683 this paragraph, a supplemental general dentistry program does  
684 not include an advanced education program in a dental specialty.

685 (4) Notwithstanding any other provision of law in chapter  
686 456 pertaining to the clinical dental licensure examination or  
687 national examinations, to be licensed as a dentist in this  
688 state, an applicant must successfully complete both of the  
689 following:

690 (a) A written examination on the laws and rules of the  
691 state regulating the practice of dentistry.~~†~~

692 (b)~~1.~~ A practical or clinical examination, which must  
693 ~~shall~~ be the American Dental Licensing Examination produced by  
694 the American Board of Dental Examiners, Inc., or its successor  
695 entity, if any, that is administered in this state ~~and graded by~~  
696 ~~dentists licensed in this state and employed by the department~~  
697 ~~for just such purpose~~, provided that the board has attained, and  
698 continues to maintain thereafter, representation on the board of  
699 directors of the American Board of Dental Examiners, the  
700 examination development committee of the American Board of

701 Dental Examiners, and such other committees of the American  
702 Board of Dental Examiners as the board deems appropriate by rule  
703 to assure that the standards established herein are maintained  
704 organizationally. A passing score on the American Dental  
705 Licensing Examination administered in this state ~~and graded by~~  
706 ~~dentists who are licensed in this state~~ is valid for 365 days  
707 after the date the official examination results are published.

708 1.2.a. As an alternative to such practical or clinical  
709 examination ~~the requirements of subparagraph 1.~~, an applicant  
710 may submit scores from an American Dental Licensing Examination  
711 previously administered in a jurisdiction other than this state  
712 after October 1, 2011, and such examination results shall be  
713 recognized as valid for the purpose of licensure in this state.  
714 A passing score on the American Dental Licensing Examination  
715 administered out of state ~~out of state~~ shall be the same as the  
716 passing score for the American Dental Licensing Examination  
717 administered in this state ~~and graded by dentists who are~~  
718 ~~licensed in this state~~. The examination results are valid for  
719 365 days after the date the official examination results are  
720 published. The applicant must have completed the examination  
721 after October 1, 2011.

722 ~~b.~~ This subparagraph may not be given retroactive  
723 application.

724 2.3. If the date of an applicant's passing American Dental  
725 Licensing Examination scores from an examination previously

726 administered in a jurisdiction other than this state under  
727 subparagraph 1. ~~subparagraph 2.~~ is older than 365 days, ~~then~~  
728 such scores are ~~shall~~ nevertheless ~~be recognized as~~ valid for  
729 the purpose of licensure in this state, but only if the  
730 applicant demonstrates that all of the following additional  
731 standards have been met:

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

734 ~~(II)~~ This sub-subparagraph may not be given retroactive  
735 application;

736 b. The applicant graduated from a dental school accredited  
737 by the American Dental Association Commission on Dental  
738 Accreditation or its successor entity, if any, or any other  
739 dental accrediting organization recognized by the United States  
740 Department of Education. Provided, however, if the applicant did  
741 not graduate from such a dental school, the applicant may submit  
742 proof of having successfully completed a full-time supplemental  
743 general dentistry program accredited by the American Dental  
744 Association Commission on Dental Accreditation of at least 2  
745 consecutive academic years at such accredited sponsoring  
746 institution. Such program must provide didactic and clinical  
747 education at the level of a D.D.S. or D.M.D. program accredited  
748 by the American Dental Association Commission on Dental  
749 Accreditation. For purposes of this sub-subparagraph, a  
750 supplemental general dentistry program does not include an

751 advanced education program in a dental specialty;

752 c. The applicant currently possesses a valid and active  
753 dental license in good standing, with no restriction, which has  
754 never been revoked, suspended, restricted, or otherwise  
755 disciplined, from another state or territory of the United  
756 States, the District of Columbia, or the Commonwealth of Puerto  
757 Rico;

758 d. The applicant submits proof that he or she has never  
759 been reported to the National Practitioner Data Bank, the  
760 Healthcare Integrity and Protection Data Bank, or the American  
761 Association of Dental Boards Clearinghouse. This sub-  
762 subparagraph does not apply if the applicant successfully  
763 appealed to have his or her name removed from the data banks of  
764 these agencies;

765 e. (I) (A) ~~In the 5 years immediately preceding the date of~~  
766 ~~application for licensure in this state,~~ The applicant submits  
767 ~~must submit~~ proof of having been consecutively engaged in the  
768 full-time practice of dentistry in another state or territory of  
769 the United States, the District of Columbia, or the Commonwealth  
770 of Puerto Rico in the 5 years immediately preceding the date of  
771 application for licensure in this state; ~~or~~

772 (B) If the applicant has been licensed in another state or  
773 territory of the United States, the District of Columbia, or the  
774 Commonwealth of Puerto Rico for less than 5 years, the applicant  
775 submits ~~must submit~~ proof of having been engaged in the full-

776 time practice of dentistry since the date of his or her initial  
777 licensure.

778 (II) As used in this section, "full-time practice" is  
779 defined as a minimum of 1,200 hours per year for each and every  
780 year in the consecutive 5-year period or, when ~~where~~ applicable,  
781 the period since initial licensure, and must include any  
782 combination of the following:

783 (A) Active clinical practice of dentistry providing direct  
784 patient care.

785 (B) Full-time practice as a faculty member employed by a  
786 dental or dental hygiene school approved by the board or  
787 accredited by the American Dental Association Commission on  
788 Dental Accreditation.

789 (C) Full-time practice as a student at a postgraduate  
790 dental education program approved by the board or accredited by  
791 the American Dental Association Commission on Dental  
792 Accreditation.

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

797 (A) Admissible as evidence in an administrative  
798 proceeding;

799 (B) Submitted in writing;

800 (C) Submitted by the applicant under oath with penalties



801 of perjury attached;

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

806 (E) Specifically found by the board to be both credible  
807 and admissible.

808 (IV) An affidavit of only the applicant is not acceptable  
809 proof of full-time practice unless it is further attested to by  
810 someone unrelated to the applicant who has personal knowledge of  
811 the applicant's practice. If the board deems it necessary to  
812 assess credibility or accuracy, the board may require the  
813 applicant or the applicant's witnesses to appear before the  
814 board and give oral testimony under oath;

815 f. The applicant submits ~~must submit~~ documentation that he  
816 or she has completed, or will complete before he or she is  
817 licensed, ~~prior to licensure~~ in this state, continuing education  
818 equivalent to this state's requirements for the last full  
819 reporting biennium;

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

824 h. The applicant has ~~must~~ successfully passed ~~pass~~ a  
825 written examination on the laws and rules of this state

826 regulating the practice of dentistry and ~~must successfully pass~~  
827 the computer-based diagnostic skills examination; and

828 i. The applicant submits ~~must submit~~ documentation that he  
829 or she has successfully completed the applicable examination  
830 administered by the Joint Commission on National Dental  
831 Examinations or its successor organization ~~National Board of~~  
832 ~~Dental Examiners dental examination.~~

833 Section 14. Notwithstanding the January 1, 2020, repeal of  
834 section 466.0067, Florida Statutes, that section is revived,  
835 reenacted, and amended, to read:

836 466.0067 Application for health access dental license.—The  
837 Legislature finds that there is an important state interest in  
838 attracting dentists to practice in underserved health access  
839 settings in this state and further, that allowing out-of-state  
840 dentists who meet certain criteria to practice in health access  
841 settings without the supervision of a dentist licensed in this  
842 state is substantially related to achieving this important state  
843 interest. Therefore, notwithstanding the requirements of s.  
844 466.006, the board shall grant a health access dental license to  
845 practice dentistry in this state in health access settings as  
846 defined in s. 466.003 to an applicant who ~~that~~:

847 (1) Files an appropriate application approved by the  
848 board;

849 (2) Pays an application license fee for a health access  
850 dental license, laws-and-rule exam fee, and an initial licensure

851 fee. The fees specified in this subsection may not differ from  
852 an applicant seeking licensure pursuant to s. 466.006;

853 (3) Has not been convicted of or pled nolo contendere to,  
854 regardless of adjudication, any felony or misdemeanor related to  
855 the practice of a health care profession;

856 (4) Submits proof of graduation from a dental school  
857 accredited by the Commission on Dental Accreditation of the  
858 American Dental Association or its successor agency;

859 (5) Submits documentation that she or he has completed, or  
860 will obtain before ~~prior to~~ licensure, continuing education  
861 equivalent to this state's requirement for dentists licensed  
862 under s. 466.006 for the last full reporting biennium before  
863 applying for a health access dental license;

864 (6) Submits proof of her or his successful completion of  
865 parts I and II of the dental examination by the National Board  
866 of Dental Examiners and a state or regional clinical dental  
867 licensing examination that the board has determined effectively  
868 measures the applicant's ability to practice safely;

869 (7) Currently holds a valid, active, dental license in  
870 good standing which has not been revoked, suspended, restricted,  
871 or otherwise disciplined from another of the United States, the  
872 District of Columbia, or a United States territory;

873 (8) Has never had a license revoked from another of the  
874 United States, the District of Columbia, or a United States  
875 territory;

876 (9) Has never failed the examination specified in s.  
 877 466.006, unless the applicant was reexamined pursuant to s.  
 878 466.006 and received a license to practice dentistry in this  
 879 state;

880 (10) Has not been reported to the National Practitioner  
 881 Data Bank, unless the applicant successfully appealed to have  
 882 his or her name removed from the data bank;

883 (11) Submits proof that he or she has been engaged in the  
 884 active, clinical practice of dentistry providing direct patient  
 885 care for 5 years immediately preceding the date of application,  
 886 or in instances when the applicant has graduated from an  
 887 accredited dental school within the preceding 5 years, submits  
 888 proof of continuous clinical practice providing direct patient  
 889 care since graduation; and

890 (12) Has passed an examination covering the laws and rules  
 891 of the practice of dentistry in this state as described in s.  
 892 466.006(4) (a).

893 Section 15. Notwithstanding the January 1, 2020, repeal of  
 894 section 466.00671, Florida Statutes, that section is revived,  
 895 reenacted, and amended to read:

896 466.00671 Renewal of the health access dental license.—

897 (1) A health access dental licensee shall apply for  
 898 renewal each biennium. At the time of renewal, the licensee  
 899 shall sign a statement that she or he has complied with all  
 900 continuing education requirements of an active dentist licensee.

901 The board shall renew a health access dental license for an  
 902 applicant who ~~that~~:

903 (a) Submits documentation, as approved by the board, from  
 904 the employer in the health access setting that the licensee has  
 905 at all times pertinent remained an employee;

906 (b) Has not been convicted of or pled nolo contendere to,  
 907 regardless of adjudication, any felony or misdemeanor related to  
 908 the practice of a health care profession;

909 (c) Has paid a renewal fee set by the board. The fee  
 910 specified herein may not differ from the renewal fee adopted by  
 911 the board pursuant to s. 466.013. The department may provide  
 912 payment for these fees through the dentist's salary, benefits,  
 913 or other department funds;

914 (d) Has not failed the examination specified in s. 466.006  
 915 since initially receiving a health access dental license or  
 916 since the last renewal; and

917 (e) Has not been reported to the National Practitioner  
 918 Data Bank, unless the applicant successfully appealed to have  
 919 his or her name removed from the data bank.

920 (2) The board may undertake measures to independently  
 921 verify the health access dental licensee's ongoing employment  
 922 status in the health access setting.

923 Section 16. Notwithstanding the January 1, 2020, repeal of  
 924 section 466.00672, Florida Statutes, that section is revived and  
 925 reenacted to read:

926 466.00672 Revocation of health access dental license.—

927 (1) The board shall revoke a health access dental license  
928 upon:

929 (a) The licensee's termination from employment from a  
930 qualifying health access setting;

931 (b) Final agency action determining that the licensee has  
932 violated any provision of s. 466.027 or s. 466.028, other than  
933 infractions constituting citation offenses or minor violations;  
934 or

935 (c) Failure of the Florida dental licensure examination.

936 (2) Failure of an individual licensed pursuant to s.  
937 466.0067 to limit the practice of dentistry to health access  
938 settings as defined in s. 466.003 constitutes the unlicensed  
939 practice of dentistry.

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

943 466.007 Examination of dental hygienists.—

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

947 (b) A practical or clinical examination approved by the  
948 board. The examination shall be the Dental Hygiene Examination  
949 produced by the American Board of Dental Examiners, Inc. (ADEX)  
950 or its successor entity, if any, if the board finds that the

951 successor entity's clinical examination meets or exceeds the  
952 provisions of this section. The board shall approve the ADEX  
953 Dental Hygiene Examination if the board has attained and  
954 continues to maintain representation on the ADEX House of  
955 Representatives, the ADEX Dental Hygiene Examination Development  
956 Committee, and such other ADEX Dental Hygiene committees as the  
957 board deems appropriate through rulemaking to ensure that the  
958 standards established in this section are maintained  
959 organizationally. The ADEX Dental Hygiene Examination or the  
960 examination produced by its successor entity is a comprehensive  
961 examination in which an applicant must demonstrate skills within  
962 the dental hygiene scope of practice on a live patient and any  
963 other components that the board deems necessary for the  
964 applicant to successfully demonstrate competency for the purpose  
965 of licensure. ~~The ADEX Dental Hygiene Examination or the~~  
966 ~~examination by the successor entity administered in this state~~  
967 ~~shall be graded by dentists and dental hygienists licensed in~~  
968 ~~this state who are employed by the department for this purpose.~~

969 (6) (a) A passing score on the ADEX Dental Hygiene  
970 Examination administered out of state must ~~shall~~ be considered  
971 the same as a passing score for the ADEX Dental Hygiene  
972 Examination administered in this state ~~and graded by licensed~~  
973 ~~dentists and dental hygienists.~~

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

976 | 466.017 Prescription of drugs; anesthesia.—  
 977 | (9) Any adverse incident that occurs in an office  
 978 | maintained by a dentist must be reported to the department. The  
 979 | required notification to the department must be submitted in  
 980 | writing by certified mail and postmarked within 48 hours after  
 981 | the incident occurs.

982 | (10) A dentist practicing in this state must notify the  
 983 | board in writing by certified mail within 48 hours after any  
 984 | adverse incident that occurs in the dentist's outpatient  
 985 | facility. A complete written report must be filed with the board  
 986 | within 30 days after the incident occurs.

987 | (11) Any certified registered dental hygienist  
 988 | administering local anesthesia must notify the board in writing  
 989 | by registered mail within 48 hours after any adverse incident  
 990 | that was related to or the result of the administration of local  
 991 | anesthesia. A complete written report must be filed with the  
 992 | board within 30 days after the mortality or other adverse  
 993 | incident.

994 | (12) A failure by the dentist or dental hygienist to  
 995 | timely and completely comply with all the reporting requirements  
 996 | in this section is the basis for disciplinary action by the  
 997 | board pursuant to s. 466.028(1).

998 | (13) The department shall review each adverse incident and  
 999 | determine whether it involved conduct by a health care  
 1000 | professional subject to disciplinary action, in which case s.



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1001 456.073 applies. Disciplinary action, if any, shall be taken by  
 1002 the board under which the health care professional is licensed.

1003 (14) As used in subsections (9)-(13), the term "adverse  
 1004 incident" means any mortality that occurs during or as the  
 1005 result of a dental procedure, or an incident that results in a  
 1006 temporary or permanent physical or mental injury that requires  
 1007 hospitalization or emergency room treatment of a dental patient  
 1008 which occurs during or as a direct result of the use of general  
 1009 anesthesia, deep sedation, moderate sedation, pediatric moderate  
 1010 sedation, oral sedation, minimal sedation (anxiolysis), nitrous  
 1011 oxide, or local anesthesia.

1012 (15) The board may adopt rules to administer this section.

1013 Section 19. Section 466.031, Florida Statutes, is amended  
 1014 to read:

1015 466.031 "Dental laboratories laboratory" defined.—

1016 (1) As used in this chapter, the term "dental laboratory"  
 1017 ~~as used in this chapter:~~

1018 ~~(1)~~ includes any person, firm, or corporation that ~~who~~  
 1019 performs for a fee of any kind, gratuitously, or otherwise,  
 1020 directly or through an agent or an employee, by any means or  
 1021 method, or ~~who in any way~~ supplies or manufactures artificial  
 1022 substitutes for the natural teeth; ~~or who~~ furnishes, supplies,  
 1023 constructs, or reproduces or repairs any prosthetic denture,  
 1024 bridge, or appliance to be worn in the human mouth; ~~or who~~ in  
 1025 any way represents ~~holds~~ itself ~~out~~ as a dental laboratory.

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1026 ~~(2)~~ The term does not include a ~~Excludes any~~ dental  
 1027 laboratory technician who constructs or repairs dental  
 1028 prosthetic appliances in the office of a licensed dentist  
 1029 exclusively for that ~~such~~ dentist ~~only and~~ under her or his  
 1030 supervision and work order.

1031 (2) An employee or independent contractor of a dental  
 1032 laboratory, acting as an agent of that dental laboratory, may  
 1033 engage in onsite consultation with a licensed dentist during a  
 1034 dental procedure.

1035 Section 20. Section 466.036, Florida Statutes, is amended  
 1036 to read:

1037 466.036 Information; periodic inspections; equipment and  
 1038 supplies.—The department may require from the applicant for a  
 1039 registration certificate to operate a dental laboratory any  
 1040 information necessary to carry out the purpose of this chapter,  
 1041 including proof that the applicant has the equipment and  
 1042 supplies necessary to operate as determined by rule of the  
 1043 department, and shall require periodic inspection of all dental  
 1044 laboratories operating in this state at least once each biennial  
 1045 registration period. Such inspections must ~~shall~~ include, but  
 1046 need not be limited to, inspection of sanitary conditions,  
 1047 equipment, supplies, and facilities on the premises. The  
 1048 department shall specify dental equipment and supplies that are  
 1049 not allowed ~~permitted~~ in a registered dental laboratory.

1050 Section 21. Subsection (1) of section 468.701, Florida

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1051 Statutes, is amended to read:

1052 468.701 Definitions.—As used in this part, the term:

1053 (1) "Athletic trainer" means a person licensed under this  
 1054 part who has met the requirements of ~~under~~ this part, including  
 1055 the education requirements established ~~as set forth~~ by the  
 1056 Commission on Accreditation of Athletic Training Education or  
 1057 its successor organization and necessary credentials from the  
 1058 Board of Certification. ~~An individual who is licensed as an~~  
 1059 ~~athletic trainer may not provide, offer to provide, or represent~~  
 1060 ~~that he or she is qualified to provide any care or services that~~  
 1061 ~~he or she lacks the education, training, or experience to~~  
 1062 ~~provide, or that he or she is otherwise prohibited by law from~~  
 1063 ~~providing.~~

1064 Section 22. Section 468.707, Florida Statutes, is amended  
 1065 to read:

1066 468.707 Licensure requirements.—Any person desiring to be  
 1067 licensed as an athletic trainer shall apply to the department on  
 1068 a form approved by the department. An applicant shall also  
 1069 provide records or other evidence, as determined by the board,  
 1070 to prove he or she has met the requirements of this section. The  
 1071 department shall license each applicant who:

1072 (1) Has completed the application form and remitted the  
 1073 required fees.

1074 (2) ~~For a person who applies on or after July 1, 2016,~~ Has  
 1075 submitted to background screening pursuant to s. 456.0135. The

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1076 board may require a background screening for an applicant whose  
1077 license has expired or who is undergoing disciplinary action.

1078 (3) (a) Has obtained, at a minimum, a bachelor's  
1079 ~~baccalaureate or higher~~ degree from a college or university  
1080 professional athletic training degree program accredited by the  
1081 Commission on Accreditation of Athletic Training Education or  
1082 its successor organization recognized and approved by the United  
1083 States Department of Education or the Commission on Recognition  
1084 of Postsecondary Accreditation, approved by the board, or  
1085 recognized by the Board of Certification, and has passed the  
1086 national examination to be certified by the Board of  
1087 Certification; or-

1088 (b) (4) Has obtained, at a minimum, a bachelor's degree,  
1089 has completed the Board of Certification internship  
1090 requirements, and holds ~~If graduated before 2004,~~ has a current  
1091 certification from the Board of Certification.

1092 (4) (5) Has current certification in both cardiopulmonary  
1093 resuscitation and the use of an automated external defibrillator  
1094 set forth in the continuing education requirements as determined  
1095 by the board pursuant to s. 468.711.

1096 (5) (6) Has completed any other requirements as determined  
1097 by the department and approved by the board.

1098 Section 23. Subsection (3) of section 468.711, Florida  
1099 Statutes, is amended to read:

1100 468.711 Renewal of license; continuing education.—

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1101 (3) If initially licensed after January 1, 1998, the  
 1102 licensee must be currently certified by the Board of  
 1103 Certification or its successor agency and maintain that  
 1104 certification in good standing without lapse.

1105 Section 24. Section 468.713, Florida Statutes, is amended  
 1106 to read:

1107 468.713 Responsibilities of athletic trainers.—

1108 (1) An athletic trainer shall practice under the direction  
 1109 of a physician licensed under chapter 458, chapter 459, chapter  
 1110 460, or otherwise authorized by Florida law to practice  
 1111 medicine. The physician shall communicate his or her direction  
 1112 through oral or written prescriptions or protocols as deemed  
 1113 appropriate by the physician for the provision of services and  
 1114 care by the athletic trainer. An athletic trainer shall provide  
 1115 service or care in the manner dictated by the physician.

1116 (2) An athletic trainer shall work within his or her  
 1117 allowable scope of practice as specified in board rule under s.  
 1118 468.705. An athletic trainer may not provide, offer to provide,  
 1119 or represent that he or she is qualified to provide any care or  
 1120 services that he or she lacks the education, training, or  
 1121 experience to provide or that he or she is otherwise prohibited  
 1122 by law from providing.

1123 Section 25. Subsection (2) of section 468.723, Florida  
 1124 Statutes, is amended to read:

1125 468.723 Exemptions.—This part does not prohibit ~~prevent~~ or

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1126 restrict:

1127 (2) An athletic training student acting under the direct  
1128 supervision of a licensed athletic trainer. For purposes of this  
1129 subsection, "direct supervision" means the physical presence of  
1130 an athletic trainer so that the athletic trainer is immediately  
1131 available to the athletic training student and able to intervene  
1132 on behalf of the athletic training student. The supervision must  
1133 comply with board rule in accordance with the standards set  
1134 forth by the Commission on Accreditation of Athletic Training  
1135 Education or its successor.

1136 Section 26. Subsections (1), (3), and (4) of section  
1137 468.803, Florida Statutes, are amended to read:

1138 468.803 License, registration, and examination  
1139 requirements.—

1140 (1) The department shall issue a license to practice  
1141 orthotics, prosthetics, or pedorthics, or a registration for a  
1142 resident to practice orthotics or prosthetics, to qualified  
1143 applicants. Licenses to practice shall be granted independently  
1144 in orthotics, prosthetics, or pedorthics must be granted  
1145 independently, but a person may be licensed in more than one  
1146 such discipline, and a prosthetist-orthotist license may be  
1147 granted to persons meeting the requirements for licensure both  
1148 as a prosthetist and as an orthotist ~~license~~. Registrations to  
1149 practice shall be granted independently in orthotics or  
1150 prosthetics must be granted independently, and a person may be

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1151 registered in both disciplines ~~fields~~ at the same time or  
1152 jointly in orthotics and prosthetics as a dual registration.

1153 (3) A person seeking to attain the ~~required~~ orthotics or  
1154 prosthetics experience required for licensure in this state must  
1155 be approved by the board and registered as a resident by the  
1156 department. Although a registration may be held in both  
1157 disciplines ~~practice fields~~, for independent registrations the  
1158 board may ~~shall~~ not approve a second registration until at least  
1159 1 year after the issuance of the first registration.

1160 Notwithstanding subsection (2), a person ~~an applicant~~ who has  
1161 been approved by the board and registered by the department in  
1162 one discipline ~~practice field~~ may apply for registration in the  
1163 second discipline ~~practice field~~ without an additional state or  
1164 national criminal history check during the period in which the  
1165 first registration is valid. Each independent registration or  
1166 dual registration is valid for 2 years after ~~from~~ the date of  
1167 issuance unless otherwise revoked by the department upon  
1168 recommendation of the board. The board shall set a registration  
1169 fee not to exceed \$500 to be paid by the applicant. A  
1170 registration may be renewed once by the department upon  
1171 recommendation of the board for a period no longer than 1 year,  
1172 as such renewal is defined by the board by rule. The  
1173 ~~registration~~ renewal fee may ~~shall~~ not exceed one-half the  
1174 current registration fee. To be considered by the board for  
1175 approval of registration as a resident, the applicant must have

1176 one of the following:

1177 (a) A Bachelor of Science or higher-level postgraduate  
 1178 degree in orthotics and prosthetics from a regionally accredited  
 1179 college or university recognized by the Commission on  
 1180 Accreditation of Allied Health Education Programs. ~~or, at~~

1181 (b) A minimum of a bachelor's degree from a regionally  
 1182 accredited college or university and a certificate in orthotics  
 1183 or prosthetics from a program recognized by the Commission on  
 1184 Accreditation of Allied Health Education Programs, or its  
 1185 equivalent, as determined by the board. ~~or~~

1186 (c) A minimum of a bachelor's degree from a regionally  
 1187 accredited college or university and a dual certificate in both  
 1188 orthotics and prosthetics from programs recognized by the  
 1189 Commission on Accreditation of Allied Health Education Programs,  
 1190 or its equivalent, as determined by the board.

1191 ~~(b) A Bachelor of Science or higher-level postgraduate~~  
 1192 ~~degree in Orthotics and Prosthetics from a regionally accredited~~  
 1193 ~~college or university recognized by the Commission on~~  
 1194 ~~Accreditation of Allied Health Education Programs or, at a~~  
 1195 ~~minimum, a bachelor's degree from a regionally accredited~~  
 1196 ~~college or university and a certificate in prosthetics from a~~  
 1197 ~~program recognized by the Commission on Accreditation of Allied~~  
 1198 ~~Health Education Programs, or its equivalent, as determined by~~  
 1199 ~~the board.~~

1200 (4) The department may develop and administer a state



1201 examination for an orthotist or a prosthetist license, or the  
1202 board may approve the existing examination of a national  
1203 standards organization. The examination must be predicated on a  
1204 minimum of a baccalaureate-level education and formalized  
1205 specialized training in the appropriate field. Each examination  
1206 must demonstrate a minimum level of competence in basic  
1207 scientific knowledge, written problem solving, and practical  
1208 clinical patient management. The board shall require an  
1209 examination fee not to exceed the actual cost to the board in  
1210 developing, administering, and approving the examination, which  
1211 fee must be paid by the applicant. To be considered by the board  
1212 for examination, the applicant must have:

1213 (a) For an examination in orthotics:

1214 1. A Bachelor of Science or higher-level postgraduate  
1215 degree in orthotics and prosthetics from a regionally accredited  
1216 college or university recognized by the Commission on  
1217 Accreditation of Allied Health Education Programs or, at a  
1218 minimum, a bachelor's degree from a regionally accredited  
1219 college or university and a certificate in orthotics from a  
1220 program recognized by the Commission on Accreditation of Allied  
1221 Health Education Programs, or its equivalent, as determined by  
1222 the board; and

1223 2. An approved orthotics internship of 1 year of qualified  
1224 experience, as determined by the board, or an orthotic residency  
1225 or dual residency program recognized by the board.

1226 (b) For an examination in prosthetics:

1227 1. A Bachelor of Science or higher-level postgraduate  
 1228 degree in orthotics and prosthetics from a regionally accredited  
 1229 college or university recognized by the Commission on  
 1230 Accreditation of Allied Health Education Programs or, at a  
 1231 minimum, a bachelor's degree from a regionally accredited  
 1232 college or university and a certificate in prosthetics from a  
 1233 program recognized by the Commission on Accreditation of Allied  
 1234 Health Education Programs, or its equivalent, as determined by  
 1235 the board; and

1236 2. An approved prosthetics internship of 1 year of  
 1237 qualified experience, as determined by the board, or a  
 1238 prosthetic residency or dual residency program recognized by the  
 1239 board.

1240 Section 27. Subsection (5) of section 480.033, Florida  
 1241 Statutes, is amended to read:

1242 480.033 Definitions.—As used in this act:

1243 (5) "Apprentice" means a person approved by the board to  
 1244 study colonic irrigation ~~massage~~ under the instruction of a  
 1245 licensed massage therapist practicing colonic irrigation.

1246 Section 28. Subsections (1) and (2) of section 480.041,  
 1247 Florida Statutes, are amended, and subsection (8) is added to  
 1248 that section, to read:

1249 480.041 Massage therapists; qualifications; licensure;  
 1250 endorsement.—

1251 (1) Any person is qualified for licensure as a massage  
 1252 therapist under this act who:

1253 (a) Is at least 18 years of age or has received a high  
 1254 school diploma or high school equivalency diploma;

1255 (b) Has completed a course of study at a board-approved  
 1256 massage school ~~or has completed an apprenticeship program~~ that  
 1257 meets standards adopted by the board; and

1258 (c) Has received a passing grade on a national an  
 1259 examination designated ~~administered~~ by the board ~~department~~.

1260 (2) Every person desiring to be examined for licensure as  
 1261 a massage therapist must ~~shall~~ apply to the department in  
 1262 writing upon forms prepared and furnished by the department.  
 1263 Such applicants are ~~shall be~~ subject to ~~the provisions of s.~~  
 1264 480.046(1). ~~Applicants may take an examination administered by~~  
 1265 ~~the department only upon meeting the requirements of this~~  
 1266 ~~section as determined by the board.~~

1267 (8) A person issued a license as a massage apprentice  
 1268 before July 1, 2020, may continue that apprenticeship and  
 1269 perform massage therapy as authorized under that license until  
 1270 it expires. Upon completion of the apprenticeship, which must  
 1271 occur before July 1, 2023, a massage apprentice may apply to the  
 1272 board for full licensure and be granted a license if all other  
 1273 applicable licensure requirements are met.

1274 Section 29. Section 480.042, Florida Statutes, is  
 1275 repealed.

1276 Section 30. Subsection (3) of section 490.003, Florida  
 1277 Statutes, is amended to read:

1278 490.003 Definitions.—As used in this chapter:

1279 (3) (a) ~~Prior to July 1, 1999, "doctoral-level~~  
 1280 ~~psychological education" and "doctoral degree in psychology"~~  
 1281 ~~mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in psychology~~  
 1282 ~~from:~~

1283 ~~1. An educational institution which, at the time the~~  
 1284 ~~applicant was enrolled and graduated, had institutional~~  
 1285 ~~accreditation from an agency recognized and approved by the~~  
 1286 ~~United States Department of Education or was recognized as a~~  
 1287 ~~member in good standing with the Association of Universities and~~  
 1288 ~~Colleges of Canada; and~~

1289 ~~2. A psychology program within that educational~~  
 1290 ~~institution which, at the time the applicant was enrolled and~~  
 1291 ~~graduated, had programmatic accreditation from an accrediting~~  
 1292 ~~agency recognized and approved by the United States Department~~  
 1293 ~~of Education or was comparable to such programs.~~

1294 ~~(b)~~ Effective July 1, 1999, "doctoral-level psychological  
 1295 education" and "doctoral degree in psychology" mean a Psy.D., an  
 1296 Ed.D. in psychology, or a Ph.D. in psychology from a psychology  
 1297 program at:

1298 ~~1.~~ an educational institution that ~~which~~, at the time the  
 1299 applicant was enrolled and graduated:

1300 (a) ~~1.~~ Had institutional accreditation from an agency

1301 recognized and approved by the United States Department of  
 1302 Education or was recognized as a member in good standing with  
 1303 the Association of Universities and Colleges of Canada; and

1304 (b)2. ~~A psychology program within that educational~~  
 1305 ~~institution which, at the time the applicant was enrolled and~~  
 1306 ~~graduated,~~ Had programmatic accreditation from the American  
 1307 Psychological Association ~~an agency recognized and approved by~~  
 1308 ~~the United States Department of Education.~~

1309 Section 31. Paragraph (b) of subsection (1) and paragraph  
 1310 (b) of subsection (2) of section 490.005, Florida Statutes, are  
 1311 amended to read:

1312 490.005 Licensure by examination.—

1313 (1) Any person desiring to be licensed as a psychologist  
 1314 shall apply to the department to take the licensure examination.  
 1315 The department shall license each applicant who the board  
 1316 certifies has:

1317 (b) Submitted proof satisfactory to the board that the  
 1318 applicant has received:

1319 1. ~~Received~~ Doctoral-level psychological education, ~~as~~  
 1320 ~~defined in s. 490.003(3);~~ or

1321 2. ~~Received~~ The equivalent of a doctoral-level  
 1322 psychological education, as defined in s. 490.003(3), from a  
 1323 program at a school or university located outside the United  
 1324 States of America ~~and Canada,~~ which was officially recognized by  
 1325 the government of the country in which it is located as an

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1326 institution or program to train students to practice  
1327 professional psychology. The applicant has the burden of  
1328 establishing that this requirement has ~~the requirements of this~~  
1329 ~~provision have been met shall be upon the applicant;~~

1330 ~~3. Received and submitted to the board, prior to July 1,~~  
1331 ~~1999, certification of an augmented doctoral-level psychological~~  
1332 ~~education from the program director of a doctoral-level~~  
1333 ~~psychology program accredited by a programmatic agency~~  
1334 ~~recognized and approved by the United States Department of~~  
1335 ~~Education; or~~

1336 ~~4. Received and submitted to the board, prior to August~~  
1337 ~~31, 2001, certification of a doctoral-level program that at the~~  
1338 ~~time the applicant was enrolled and graduated maintained a~~  
1339 ~~standard of education and training comparable to the standard of~~  
1340 ~~training of programs accredited by a programmatic agency~~  
1341 ~~recognized and approved by the United States Department of~~  
1342 ~~Education. Such certification of comparability shall be provided~~  
1343 ~~by the program director of a doctoral-level psychology program~~  
1344 ~~accredited by a programmatic agency recognized and approved by~~  
1345 ~~the United States Department of Education.~~

1346 (2) Any person desiring to be licensed as a school  
1347 psychologist shall apply to the department to take the licensure  
1348 examination. The department shall license each applicant who the  
1349 department certifies has:

1350 (b) Submitted satisfactory proof to the department that

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1351 the applicant:

1352 1. Has received a doctorate, specialist, or equivalent  
1353 degree from a program primarily psychological in nature and has  
1354 completed 60 semester hours or 90 quarter hours of graduate  
1355 study, in areas related to school psychology as defined by rule  
1356 of the department, from a college or university which at the  
1357 time the applicant was enrolled and graduated was accredited by  
1358 an accrediting agency recognized and approved by the Council for  
1359 Higher Education Accreditation or its successor organization  
1360 ~~Commission on Recognition of Postsecondary Accreditation~~ or from  
1361 an institution that ~~which~~ is ~~publicly recognized as~~ a member in  
1362 good standing with the Association of Universities and Colleges  
1363 of Canada.

1364 2. Has had a minimum of 3 years of experience in school  
1365 psychology, 2 years of which must be supervised by an individual  
1366 who is a licensed school psychologist or who has otherwise  
1367 qualified as a school psychologist supervisor, by education and  
1368 experience, as set forth by rule of the department. A doctoral  
1369 internship may be applied toward the supervision requirement.

1370 3. Has passed an examination provided by the department.

1371 Section 32. Subsection (1) of section 490.006, Florida  
1372 Statutes, is amended to read:

1373 490.006 Licensure by endorsement.—

1374 (1) The department shall license a person as a  
1375 psychologist or school psychologist who, upon applying to the

1376 department and remitting the appropriate fee, demonstrates to  
 1377 the department or, in the case of psychologists, to the board  
 1378 that the applicant:

1379 ~~(a) Holds a valid license or certificate in another state~~  
 1380 ~~to practice psychology or school psychology, as applicable,~~  
 1381 ~~provided that, when the applicant secured such license or~~  
 1382 ~~certificate, the requirements were substantially equivalent to~~  
 1383 ~~or more stringent than those set forth in this chapter at that~~  
 1384 ~~time; and, if no Florida law existed at that time, then the~~  
 1385 ~~requirements in the other state must have been substantially~~  
 1386 ~~equivalent to or more stringent than those set forth in this~~  
 1387 ~~chapter at the present time;~~

1388 (a) ~~(b)~~ Is a diplomate in good standing with the American  
 1389 Board of Professional Psychology, Inc.; or

1390 (b) ~~(c)~~ Possesses a doctoral degree in psychology ~~as~~  
 1391 ~~described in s. 490.003~~ and has at least 10 ~~20~~ years of  
 1392 experience as a licensed psychologist in any jurisdiction or  
 1393 territory of the United States within the 25 years preceding the  
 1394 date of application.

1395 Section 33. Subsection (6) of section 491.0045, Florida  
 1396 Statutes, as created by chapter 2016-80 and chapter 2016-241,  
 1397 Laws of Florida, is amended to read:

1398 491.0045 Intern registration; requirements.—

1399 (6) A registration issued on or before March 31, 2017,  
 1400 expires March 31, 2022, and may not be renewed or reissued. Any



1401 registration issued after March 31, 2017, expires 60 months  
 1402 after the date it is issued. The board may make a one-time  
 1403 exception from the requirements of this subsection in emergency  
 1404 or hardship cases, as defined by board rule, if ~~A subsequent~~  
 1405 ~~intern registration may not be issued unless~~ the candidate has  
 1406 passed the theory and practice examination described in s.  
 1407 491.005(1)(d), (3)(d), and (4)(d).

1408 Section 34. Subsections (3) and (4) of section 491.005,  
 1409 Florida Statutes, are amended to read:

1410 491.005 Licensure by examination.—

1411 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of  
 1412 documentation and payment of a fee not to exceed \$200, as set by  
 1413 board rule, plus the actual cost of ~~to the department for~~ the  
 1414 purchase of the examination from the Association of Marital and  
 1415 Family Therapy Regulatory Board, or similar national  
 1416 organization, the department shall issue a license as a marriage  
 1417 and family therapist to an applicant who the board certifies:

1418 (a) Has submitted an application and paid the appropriate  
 1419 fee.

1420 (b)1. Has a minimum of a master's degree with major  
 1421 emphasis in marriage and family therapy~~7~~ or a closely related  
 1422 field from a program accredited by the Commission on  
 1423 Accreditation for Marriage and Family Therapy Education or from  
 1424 a Florida university program accredited by the Council for  
 1425 Accreditation of Counseling and Related Educational Programs~~7~~

1426 and graduate courses approved by the Board of Clinical Social  
1427 Work, Marriage and Family Therapy, and Mental Health Counseling  
1428 ~~has completed all of the following requirements:~~

1429       a. ~~Thirty-six semester hours or 48 quarter hours of~~  
1430 ~~graduate coursework, which must include a minimum of 3 semester~~  
1431 ~~hours or 4 quarter hours of graduate-level course credits in~~  
1432 ~~each of the following nine areas: dynamics of marriage and~~  
1433 ~~family systems; marriage therapy and counseling theory and~~  
1434 ~~techniques; family therapy and counseling theory and techniques;~~  
1435 ~~individual human development theories throughout the life cycle;~~  
1436 ~~personality theory or general counseling theory and techniques;~~  
1437 ~~psychopathology; human sexuality theory and counseling~~  
1438 ~~techniques; psychosocial theory; and substance abuse theory and~~  
1439 ~~counseling techniques. Courses in research, evaluation,~~  
1440 ~~appraisal, assessment, or testing theories and procedures;~~  
1441 ~~thesis or dissertation work; or practicums, internships, or~~  
1442 ~~fieldwork may not be applied toward this requirement.~~

1443       b. ~~A minimum of one graduate-level course of 3 semester~~  
1444 ~~hours or 4 quarter hours in legal, ethical, and professional~~  
1445 ~~standards issues in the practice of marriage and family therapy~~  
1446 ~~or a course determined by the board to be equivalent.~~

1447       c. ~~A minimum of one graduate-level course of 3 semester~~  
1448 ~~hours or 4 quarter hours in diagnosis, appraisal, assessment,~~  
1449 ~~and testing for individual or interpersonal disorder or~~  
1450 ~~dysfunction; and a minimum of one 3-semester-hour or 4-quarter-~~

1451 ~~hour graduate-level course in behavioral research which focuses~~  
1452 ~~on the interpretation and application of research data as it~~  
1453 ~~applies to clinical practice. Credit for thesis or dissertation~~  
1454 ~~work, practicums, internships, or fieldwork may not be applied~~  
1455 ~~toward this requirement.~~

1456 ~~d. A minimum of one supervised clinical practicum,~~  
1457 ~~internship, or field experience in a marriage and family~~  
1458 ~~counseling setting, during which the student provided 180 direct~~  
1459 ~~client contact hours of marriage and family therapy services~~  
1460 ~~under the supervision of an individual who met the requirements~~  
1461 ~~for supervision under paragraph (c). This requirement may be met~~  
1462 ~~by a supervised practice experience which took place outside the~~  
1463 ~~academic arena, but which is certified as equivalent to a~~  
1464 ~~graduate-level practicum or internship program which required a~~  
1465 ~~minimum of 180 direct client contact hours of marriage and~~  
1466 ~~family therapy services currently offered within an academic~~  
1467 ~~program of a college or university accredited by an accrediting~~  
1468 ~~agency approved by the United States Department of Education, or~~  
1469 ~~an institution which is publicly recognized as a member in good~~  
1470 ~~standing with the Association of Universities and Colleges of~~  
1471 ~~Canada or a training institution accredited by the Commission on~~  
1472 ~~Accreditation for Marriage and Family Therapy Education~~  
1473 ~~recognized by the United States Department of Education.~~  
1474 ~~Certification shall be required from an official of such~~  
1475 ~~college, university, or training institution.~~

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1476           2. If the course title that ~~which~~ appears on the  
1477 applicant's transcript does not clearly identify the content of  
1478 the coursework, the applicant shall ~~be required to~~ provide  
1479 additional documentation, including, but not limited to, a  
1480 syllabus or catalog description published for the course.  
1481

1482 The required master's degree must have been received in an  
1483 institution of higher education that, ~~which~~ at the time the  
1484 applicant graduated, was ~~÷~~ fully accredited by a regional  
1485 accrediting body recognized by the Commission on Recognition of  
1486 Postsecondary Accreditation or ~~÷~~ publicly recognized as a member  
1487 in good standing with the Association of Universities and  
1488 Colleges of Canada, ÷ or an institution of higher education  
1489 located outside the United States and Canada, ~~÷~~ which, ÷ at the time  
1490 the applicant was enrolled and at the time the applicant  
1491 graduated, ÷ maintained a standard of training substantially  
1492 equivalent to the standards of training of those institutions in  
1493 the United States which are accredited by a regional accrediting  
1494 body recognized by the Commission on Recognition of  
1495 Postsecondary Accreditation. Such foreign education and training  
1496 must have been received in an institution or program of higher  
1497 education officially recognized by the government of the country  
1498 in which it is located as an institution or program to train  
1499 students to practice as professional marriage and family  
1500 therapists or psychotherapists. The applicant has the burden of

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1501 establishing that the requirements of this provision have been  
1502 met ~~shall be upon the applicant~~, and the board shall require  
1503 documentation, such as, ~~but not limited to~~, an evaluation by a  
1504 foreign equivalency determination service, as evidence that the  
1505 applicant's graduate degree program and education were  
1506 equivalent to an accredited program in this country. An  
1507 applicant with a master's degree from a program that ~~which~~ did  
1508 not emphasize marriage and family therapy may complete the  
1509 coursework requirement in a training institution fully  
1510 accredited by the Commission on Accreditation for Marriage and  
1511 Family Therapy Education recognized by the United States  
1512 Department of Education.

1513 (c) Has had at least 2 years of clinical experience during  
1514 which 50 percent of the applicant's clients were receiving  
1515 marriage and family therapy services, which must be at the post-  
1516 master's level under the supervision of a licensed marriage and  
1517 family therapist with at least 5 years of experience, or the  
1518 equivalent, who is a qualified supervisor as determined by the  
1519 board. An individual who intends to practice in Florida to  
1520 satisfy the clinical experience requirements must register  
1521 pursuant to s. 491.0045 before commencing practice. If a  
1522 graduate has a master's degree with a major emphasis in marriage  
1523 and family therapy or a closely related field which ~~that~~ did not  
1524 include all of the coursework required by subparagraph (b)1.  
1525 ~~under sub-subparagraphs (b)1.a.-c.~~, credit for the post-master's

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1526 level clinical experience may ~~shall~~ not commence until the  
1527 applicant has completed a minimum of 10 of the courses required  
1528 by subparagraph (b)1. ~~under sub-subparagraphs (b)1.a.-c.,~~ as  
1529 determined by the board, and at least 6 semester hours or 9  
1530 quarter hours of the course credits must have been completed in  
1531 the area of marriage and family systems, theories, or  
1532 techniques. Within the 2 ~~3~~ years of required experience, the  
1533 applicant shall provide direct individual, group, or family  
1534 therapy and counseling, ~~to include the following categories of~~  
1535 cases including those involving ~~+~~ unmarried dyads, married  
1536 couples, separating and divorcing couples, and family groups  
1537 that include ~~including~~ children. A doctoral internship may be  
1538 applied toward the clinical experience requirement. A licensed  
1539 mental health professional must be on the premises when clinical  
1540 services are provided by a registered intern in a private  
1541 practice setting.

1542 (d) Has passed a theory and practice examination provided  
1543 by the department ~~for this purpose.~~

1544 (e) Has demonstrated, in a manner designated by board rule  
1545 ~~of the board,~~ knowledge of the laws and rules governing the  
1546 practice of clinical social work, marriage and family therapy,  
1547 and mental health counseling.

1548 ~~(f)~~

1549  
1550 For the purposes of dual licensure, the department shall license

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1551 as a marriage and family therapist any person who meets the  
1552 requirements of s. 491.0057. Fees for dual licensure may ~~shall~~  
1553 not exceed those stated in this subsection.

1554 (4) MENTAL HEALTH COUNSELING.—Upon verification of  
1555 documentation and payment of a fee not to exceed \$200, as set by  
1556 board rule, plus the actual per applicant cost of ~~to the~~  
1557 ~~department for~~ purchase of the examination from the National  
1558 Board for Certified Counselors or its successor Professional  
1559 ~~Examination Service for the National Academy of Certified~~  
1560 ~~Clinical Mental Health Counselors or a similar national~~  
1561 organization, the department shall issue a license as a mental  
1562 health counselor to an applicant who the board certifies:

1563 (a) Has submitted an application and paid the appropriate  
1564 fee.

1565 (b)1. Has a minimum of an earned master's degree from a  
1566 mental health counseling program accredited by the Council for  
1567 the Accreditation of Counseling and Related Educational Programs  
1568 which ~~that~~ consists of at least 60 semester hours or 80 quarter  
1569 hours of clinical and didactic instruction, including a course  
1570 in human sexuality and a course in substance abuse. If the  
1571 master's degree is earned from a program related to the practice  
1572 of mental health counseling which ~~that~~ is not accredited by the  
1573 Council for the Accreditation of Counseling and Related  
1574 Educational Programs, then the coursework and practicum,  
1575 internship, or fieldwork must consist of at least 60 semester

1576 | hours or 80 quarter hours and meet all of the following  
 1577 | requirements:

1578 |       a. Thirty-three semester hours or 44 quarter hours of  
 1579 | graduate coursework, which must include a minimum of 3 semester  
 1580 | hours or 4 quarter hours of graduate-level coursework in each of  
 1581 | the following 11 content areas: counseling theories and  
 1582 | practice; human growth and development; diagnosis and treatment  
 1583 | of psychopathology; human sexuality; group theories and  
 1584 | practice; individual evaluation and assessment; career and  
 1585 | lifestyle assessment; research and program evaluation; social  
 1586 | and cultural foundations; substance abuse; and legal, ethical,  
 1587 | and professional standards issues in the practice of mental  
 1588 | health counseling in community settings; and substance abuse.  
 1589 | Courses in research, thesis or dissertation work, practicums,  
 1590 | internships, or fieldwork may not be applied toward this  
 1591 | requirement.

1592 |       b. A minimum of 3 semester hours or 4 quarter hours of  
 1593 | graduate-level coursework addressing diagnostic processes,  
 1594 | including differential diagnosis and the use of the current  
 1595 | diagnostic tools, such as the current edition of the American  
 1596 | Psychiatric Association's Diagnostic and Statistical Manual of  
 1597 | Mental Disorders. The graduate program must have emphasized the  
 1598 | common core curricular experience in legal, ethical, and  
 1599 | professional standards issues in the practice of mental health  
 1600 | counseling, which includes goals, objectives, and practices of



1601 ~~professional counseling organizations, codes of ethics, legal~~  
 1602 ~~considerations, standards of preparation, certifications and~~  
 1603 ~~licensing, and the role identity and professional obligations of~~  
 1604 ~~mental health counselors. Courses in research, thesis or~~  
 1605 ~~dissertation work, practicums, internships, or fieldwork may not~~  
 1606 ~~be applied toward this requirement.~~

1607 c. The equivalent, as determined by the board, of at least  
 1608 700 ~~1,000~~ hours of university-sponsored supervised clinical  
 1609 practicum, internship, or field experience that includes at  
 1610 least 280 hours of direct client services, as required in the  
 1611 accrediting standards of the Council for Accreditation of  
 1612 Counseling and Related Educational Programs for mental health  
 1613 counseling programs. This experience may not be used to satisfy  
 1614 the post-master's clinical experience requirement.

1615 2. Has provided additional documentation if a ~~the~~ course  
 1616 title that ~~which~~ appears on the applicant's transcript does not  
 1617 clearly identify the content of the coursework.7 ~~The applicant~~  
 1618 ~~shall be required to provide additional documentation~~ must  
 1619 include, including, but is not limited to, a syllabus or catalog  
 1620 description published for the course.

1621  
 1622 Education and training in mental health counseling must have  
 1623 been received in an institution of higher education that, ~~which~~  
 1624 at the time the applicant graduated, was ~~is~~ fully accredited by a  
 1625 regional accrediting body recognized by the Council for Higher

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1626 Education Accreditation or its successor organization or  
1627 ~~Commission on Recognition of Postsecondary Accreditation;~~  
1628 publicly recognized as a member in good standing with the  
1629 Association of Universities and Colleges of Canada, or an  
1630 institution of higher education located outside the United  
1631 States and Canada, which,  at the time the applicant was enrolled  
1632  and at the time the applicant graduated, maintained a standard  
1633 of training substantially equivalent to the standards of  
1634 training of those institutions in the United States which are  
1635 accredited by a regional accrediting body recognized by the  
1636 Council for Higher Education Accreditation or its successor  
1637 organization ~~Commission on Recognition of Postsecondary~~  
1638 ~~Accreditation~~. Such foreign education and training must have  
1639 been received in an institution or program of higher education  
1640 officially recognized by the government of the country in which  
1641 it is located as an institution or program to train students to  
1642 practice as mental health counselors. The applicant has the  
1643 burden of establishing that the requirements of this provision  
1644 have been met ~~shall be upon the applicant,~~ and the board shall  
1645 require documentation, such as, ~~but not limited to,~~ an  
1646 evaluation by a foreign equivalency determination service, as  
1647 evidence that the applicant's graduate degree program and  
1648 education were equivalent to an accredited program in this  
1649 country. Beginning July 1, 2025, an applicant must have a  
1650 master's degree from a program that is accredited by the Council

1651 for Accreditation of Counseling and Related Educational Programs  
1652 which consists of at least 60 semester hours or 80 quarter hours  
1653 to apply for licensure under this paragraph.

1654 (c) Has had at least 2 years of clinical experience in  
1655 mental health counseling, which must be at the post-master's  
1656 level under the supervision of a licensed mental health  
1657 counselor or the equivalent who is a qualified supervisor as  
1658 determined by the board. An individual who intends to practice  
1659 in Florida to satisfy the clinical experience requirements must  
1660 register pursuant to s. 491.0045 before commencing practice. If  
1661 a graduate has a master's degree with a major related to the  
1662 practice of mental health counseling which ~~that~~ did not include  
1663 all the coursework required under sub-subparagraphs (b)1.a. and  
1664 b. ~~(b)1.a.-b.~~, credit for the post-master's level clinical  
1665 experience may ~~shall~~ not commence until the applicant has  
1666 completed a minimum of seven of the courses required under sub-  
1667 subparagraphs (b)1.a. and b. ~~(b)1.a.-b.~~, as determined by the  
1668 board, one of which must be a course in psychopathology or  
1669 abnormal psychology. A doctoral internship may be applied toward  
1670 the clinical experience requirement. A licensed mental health  
1671 professional must be on the premises when clinical services are  
1672 provided by a registered intern in a private practice setting.

1673 (d) Has passed a theory and practice examination provided  
1674 by the department for this purpose.

1675 (e) Has demonstrated, in a manner designated by board rule

1676 ~~of the board~~, knowledge of the laws and rules governing the  
 1677 practice of clinical social work, marriage and family therapy,  
 1678 and mental health counseling.

1679 Section 35. Paragraph (b) of subsection (1) of section  
 1680 491.006, Florida Statutes, is amended to read:

1681 491.006 Licensure or certification by endorsement.—

1682 (1) The department shall license or grant a certificate to  
 1683 a person in a profession regulated by this chapter who, upon  
 1684 applying to the department and remitting the appropriate fee,  
 1685 demonstrates to the board that he or she:

1686 (b)1. Holds an active valid license to practice and has  
 1687 actively practiced the licensed profession ~~for which licensure~~  
 1688 ~~is applied~~ in another state for 3 of the last 5 years  
 1689 immediately preceding licensure;—

1690 ~~2. Meets the education requirements of this chapter for~~  
 1691 ~~the profession for which licensure is applied.~~

1692 ~~2.3.~~ Has passed a substantially equivalent licensing  
 1693 examination in another state or has passed the licensure  
 1694 examination in this state in the profession for which the  
 1695 applicant seeks licensure; and—

1696 ~~3.4.~~ Holds a license in good standing, is not under  
 1697 investigation for an act that would constitute a violation of  
 1698 this chapter, and has not been found to have committed any act  
 1699 that would constitute a violation of this chapter.

1700

1701 The fees paid by any applicant for certification as a master  
 1702 social worker under this section are nonrefundable.

1703 Section 36. Subsection (3) of section 491.007, Florida  
 1704 Statutes, is amended to read:

1705 491.007 Renewal of license, registration, or certificate.—

1706 ~~(3) The board or department shall prescribe by rule a~~  
 1707 ~~method for the biennial renewal of an intern registration at a~~  
 1708 ~~fee set by rule, not to exceed \$100.~~

1709 Section 37. Subsection (2) of section 491.009, Florida  
 1710 Statutes, is amended to read:

1711 491.009 Discipline.—

1712 (2) The board ~~department,~~ or, in the case of certified  
 1713 master social workers ~~psychologists,~~ the department ~~board,~~ may  
 1714 enter an order denying licensure or imposing any of the  
 1715 penalties authorized in s. 456.072(2) against any applicant for  
 1716 licensure or any licensee who violates ~~is found guilty of~~  
 1717 ~~violating any provision of subsection (1) of this section or who~~  
 1718 ~~is found guilty of violating any provision of s. 456.072(1).~~

1719 Section 38. Subsection (2) of section 491.0046, Florida  
 1720 Statutes, is amended to read:

1721 491.0046 Provisional license; requirements.—

1722 (2) The department shall issue a provisional clinical  
 1723 social worker license, provisional marriage and family therapist  
 1724 license, or provisional mental health counselor license to each  
 1725 applicant who the board certifies has:

1726 (a) Completed the application form and remitted a  
 1727 nonrefundable application fee not to exceed \$100, as set by  
 1728 board rule; and

1729 (b) Earned a graduate degree in social work, a graduate  
 1730 degree with a major emphasis in marriage and family therapy or a  
 1731 closely related field, or a graduate degree in a major related  
 1732 to the practice of mental health counseling; and

1733 (c) ~~Has~~ Met the following minimum coursework requirements:

1734 1. For clinical social work, a minimum of 15 semester  
 1735 hours or 22 quarter hours of the coursework required by s.  
 1736 491.005(1)(b)2.b.

1737 2. For marriage and family therapy, 10 of the courses  
 1738 required by s. 491.005(3)(b)1. ~~s. 491.005(3)(b)1.a.-c.~~, as  
 1739 determined by the board, and at least 6 semester hours or 9  
 1740 quarter hours of the course credits must have been completed in  
 1741 the area of marriage and family systems, theories, or  
 1742 techniques.

1743 3. For mental health counseling, a minimum of seven of the  
 1744 courses required under s. 491.005(4)(b)1.a.-c.

1745 Section 39. Subsection (11) of section 945.42, Florida  
 1746 Statutes, is amended to read:

1747 945.42 Definitions; ss. 945.40-945.49.—As used in ss.  
 1748 945.40-945.49, the following terms shall have the meanings  
 1749 ascribed to them, unless the context shall clearly indicate  
 1750 otherwise:

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1751 (11) "Psychological professional" means a behavioral  
1752 practitioner who has an approved doctoral degree in psychology  
1753 as defined in s. 490.003(3) ~~s. 490.003(3)(b)~~ and is employed by  
1754 the department or who is licensed as a psychologist pursuant to  
1755 chapter 490.

1756 Section 40. This act shall take effect July 1, 2020.