

1 A bill to be entitled
2 An act relating to the Department of Health; amending
3 s. 381.0045, F.S.; revising the purpose of the
4 department's targeted outreach program for certain
5 pregnant women; requiring the department to encourage
6 high-risk pregnant women of unknown status to be
7 tested for sexually transmissible diseases; requiring
8 the department to provide specified information to
9 pregnant women who have human immunodeficiency virus
10 (HIV); requiring the department to link women with
11 mental health services when available; requiring the
12 department to educate pregnant women who have HIV on
13 certain information; requiring the department to
14 provide, for a specified purpose, continued oversight
15 of newborns exposed to HIV; amending s. 381.0061,
16 F.S., as amended by s. 41 of chapter 2020-150, Laws of
17 Florida; revising provisions related to administrative
18 fines for violations relating to onsite sewage
19 treatment and disposal systems and septic tank
20 contracting; creating s. 381.00635, F.S.; transferring
21 provisions from s. 381.0067, F.S., relating to
22 corrective orders for private and certain public water
23 systems; conforming provisions to changes made by the
24 act; amending s. 381.0067, F.S.; conforming provisions
25 to changes made by the act; amending s. 381.0101,

26 F.S.; prohibiting a person who is not certified in a
27 specified program area or working under direct
28 supervision from performing or conducting
29 environmental health or sanitary evaluations in an
30 onsite sewage treatment and disposal program; amending
31 s. 381.986, F.S.; authorizing the department to select
32 samples of marijuana from medical marijuana treatment
33 center facilities for certain testing; authorizing the
34 department to select samples of marijuana delivery
35 devices from dispensing facilities to determine
36 whether they are safe for use; requiring medical
37 marijuana treatment centers to recall marijuana,
38 instead of just edibles, under certain circumstances;
39 providing an exemption from criminal provisions for
40 department employees who acquire, possess, test,
41 transport, and lawfully dispose of marijuana and
42 marijuana delivery devices under certain
43 circumstances; amending s. 460.406, F.S.; revising
44 provisions related to chiropractic physician
45 licensing; amending s. 464.018, F.S.; revising grounds
46 for disciplinary action against licensed nurses;
47 amending s. 467.003, F.S.; revising and defining
48 terms; amending s. 467.009, F.S.; revising provisions
49 related to approved midwifery programs; amending s.
50 467.011, F.S.; revising provisions relating to

51 licensure of midwives; amending s. 467.0125, F.S.;
52 revising provisions relating to licensure by
53 endorsement of midwives; revising requirements for
54 temporary certificates to practice midwifery in this
55 state; amending s. 467.205, F.S.; revising provisions
56 relating to approval, continued monitoring,
57 probationary status, provisional approval, and
58 approval rescission of midwifery programs; amending s.
59 468.803, F.S.; revising provisions related to
60 orthotist and prosthetist registration, examination,
61 and licensing; amending 483.824, F.S.; revising
62 educational requirements for clinical laboratory
63 directors; amending s. 490.003, F.S.; defining the
64 terms "doctoral degree from an American Psychological
65 Association accredited program" and "doctoral degree
66 in psychology"; amending ss. 490.005 and 490.0051,
67 F.S.; revising education requirements for psychologist
68 licensing and provisional licensing, respectively;
69 amending s. 491.005, F.S.; revising licensing
70 requirements for clinical social workers, marriage and
71 family therapists, and mental health counselors;
72 providing an effective date.

73
74 Be It Enacted by the Legislature of the State of Florida:
75

76 Section 1. Subsections (2) and (3) of section 381.0045,
 77 Florida Statutes, are amended to read:

78 381.0045 Targeted outreach for pregnant women.—

79 (2) It is the purpose of this section to establish a
 80 targeted outreach program for high-risk pregnant women who may
 81 not seek proper prenatal care, who suffer from substance abuse
 82 or mental health problems, or who have ~~are infected with~~ human
 83 immunodeficiency virus (HIV), and to provide these women with
 84 links to much needed services and information.

85 (3) The department shall:

86 (a) Conduct outreach programs through contracts with,
 87 grants to, or other working relationships with persons or
 88 entities where the target population is likely to be found.

89 (b) Provide outreach that is peer-based, culturally
 90 sensitive, and performed in a nonjudgmental manner.

91 (c) Encourage high-risk pregnant women of unknown status
 92 to be tested for HIV and other sexually transmissible diseases
 93 as specified by department rule.

94 (d) Educate women not receiving prenatal care as to the
 95 benefits of such care.

96 (e) Provide ~~HIV-infected~~ pregnant women who have HIV with
 97 information on the need for antiretroviral medication for their
 98 newborn, their medication options, and how they can access the
 99 medication after their discharge from the hospital ~~so they can~~
 100 ~~make an informed decision about the use of Zidovudine (AZT).~~

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101 (f) Link women with substance abuse treatment and mental
102 health services, when available, and act as a liaison with
103 Healthy Start coalitions, children's medical services, Ryan
104 White-funded providers, and other services of the Department of
105 Health.

106 (g) Educate pregnant women who have HIV on the importance
107 of engaging in and continuing HIV care.

108 (h) Provide continued oversight of ~~to HIV-exposed~~ newborns
109 exposed to HIV to determine the newborn's final HIV status and
110 ensure continued linkage to care if the newborn is diagnosed
111 with HIV.

112 Section 2. Subsection (1) of section 381.0061, Florida
113 Statutes, as amended by section 41 of chapter 2020-150, Laws of
114 Florida, is amended to read:

115 381.0061 Administrative fines.—

116 (1) In addition to any administrative action authorized by
117 chapter 120 or by other law, the department may impose a fine,
118 which may not exceed \$500 for each violation, for a violation of
119 s. 381.006(15), ~~s. 381.0065, s. 381.0066,~~ s. 381.0072, ~~or part~~
120 ~~III of chapter 489,~~ for a violation of any rule adopted under
121 this chapter, or ~~for a violation of~~ chapter 386. Notice of
122 intent to impose such fine shall be given by the department to
123 the alleged violator. Each day that a violation continues may
124 constitute a separate violation.

125 Section 3. Section 381.00635, Florida Statutes, is created

126 to read:

127 381.00635 Corrective orders; private and certain public
128 water systems.—When the department or its agents, through
129 investigation, find that any private water system or public
130 water system not covered or included in the Florida Safe
131 Drinking Water Act, part VI of chapter 403, constitutes a
132 nuisance or menace to the public health or significantly
133 degrades the groundwater or surface water, the department or its
134 agents may issue an order requiring the owner to correct the
135 improper condition.

136 Section 4. Section 381.0067, Florida Statutes, is amended
137 to read:

138 381.0067 Corrective orders; ~~private and certain public~~
139 ~~water systems and~~ onsite sewage treatment and disposal systems.—
140 When the department or its agents, through investigation, find
141 that any ~~private water system, public water system not covered~~
142 ~~or included in the Florida Safe Drinking Water Act (part VI of~~
143 ~~chapter 403), or~~ onsite sewage treatment and disposal system
144 constitutes a nuisance or menace to the public health or
145 significantly degrades the groundwater or surface water, the
146 department or its agents may issue an order requiring the owner
147 to correct the improper condition. If the improper condition
148 relates to the drainfield of an onsite sewage treatment and
149 disposal system, the department or its agents may issue an order
150 requiring the owner to repair or replace the drainfield. If an

151 onsite sewage treatment and disposal system has failed, the
 152 department or its agents shall issue an order requiring the
 153 owner to replace the system. For purposes of this section, an
 154 onsite sewage treatment and disposal system has failed if the
 155 operation of the system constitutes a nuisance or menace to the
 156 public health or significantly degrades the groundwater or
 157 surface water and the system cannot be repaired.

158 Section 5. Subsections (2) and (4) of section 381.0101,
 159 Florida Statutes, are amended to read:

160 381.0101 Environmental health professionals.—

161 (2) CERTIFICATION REQUIRED.—A person may not perform
 162 environmental health or sanitary evaluations in any primary
 163 program area of environmental health or an onsite sewage
 164 treatment and disposal program under s. 381.0065 or s. 381.00651
 165 without being certified by the department as competent to
 166 perform such evaluations. This section does not apply to:

167 (a) Persons performing inspections of public food service
 168 establishments licensed under chapter 509; or

169 (b) Persons performing site evaluations in order to
 170 determine proper placement and installation of onsite wastewater
 171 treatment and disposal systems who have successfully completed a
 172 department-approved soils morphology course and who are working
 173 under the direct responsible charge of an engineer licensed
 174 under chapter 471.

175 (4) STANDARDS FOR CERTIFICATION.—The department shall

176 adopt rules that establish definitions of terms and minimum
177 standards of education, training, or experience for those
178 persons subject to this section. The rules must also address the
179 process for application, examination, issuance, expiration, and
180 renewal of certification and ethical standards of practice for
181 the profession.

182 (a) Persons employed as environmental health professionals
183 shall exhibit a knowledge of rules and principles of
184 environmental and public health law in Florida through
185 examination. A person may not conduct environmental health
186 evaluations in a primary program area or an onsite sewage
187 treatment and disposal program under s. 381.0065 or s. 381.00651
188 unless he or she is currently certified in that program area or
189 works under the direct supervision of a certified environmental
190 health professional.

191 1. All persons who begin employment in a primary
192 environmental health program or an onsite sewage treatment and
193 disposal program under s. 381.0065 or s. 381.00651 on or after
194 September 21, 1994, must be certified in that program within 6
195 months after employment.

196 2. Persons employed in the primary environmental health
197 program of a food protection program or an onsite sewage
198 treatment and disposal system program under s. 381.0065 or s.
199 381.00651 before ~~prior to~~ September 21, 1994, ~~are~~ shall be
200 considered certified while employed in that position and are

201 ~~shall be~~ required to adhere to any professional standards
202 established by the department pursuant to paragraph (b),
203 complete any continuing education requirements imposed under
204 paragraph (d), and pay the certificate renewal fee imposed under
205 subsection (6).

206 3. Persons employed in the primary environmental health
207 program of a food protection program or an onsite sewage
208 treatment and disposal system program under s. 381.0065 or s.
209 381.00651 before ~~prior to~~ September 21, 1994, who change
210 positions or program areas and transfer into another primary
211 environmental health program area on or after September 21,
212 1994, must be certified in that program within 6 months after
213 such transfer, except that they are ~~will not be~~ required to
214 possess the college degree required under paragraph (e).

215 4. Registered sanitarians are ~~shall be~~ considered
216 certified and are ~~shall be~~ required to adhere to any
217 professional standards established by the department pursuant to
218 paragraph (b).

219 (b) At a minimum, the department shall establish standards
220 for professionals in the areas of food hygiene and onsite sewage
221 treatment and disposal.

222 (c) Those persons conducting primary environmental health
223 evaluations or evaluations for onsite sewage treatment and
224 disposal systems must ~~shall~~ be certified by examination to be
225 knowledgeable in any primary area of environmental health in

226 | which they are routinely assigned duties.

227 | (d) Persons who are certified shall renew their
228 | certification biennially by completing a minimum of ~~not less~~
229 | ~~than~~ 24 contact hours of continuing education for each program
230 | area in which they maintain certification, subject to a maximum
231 | of 48 hours for multiprogram certification.

232 | (e) Applicants for certification must ~~shall~~ have graduated
233 | from an accredited 4-year college or university with a degree or
234 | major coursework in public health, environmental health,
235 | environmental science, or a physical or biological science.

236 | (f) A certificateholder must ~~shall~~ notify the department
237 | within 60 days after any change of name or address from that
238 | which appears on the current certificate.

239 | Section 6. Present paragraphs (e) through (h) of
240 | subsection (14) of section 381.986, Florida Statutes, are
241 | redesignated as paragraphs (f) through (i), respectively, a new
242 | paragraph (e) is added to that subsection, and paragraph (e) of
243 | subsection (8) of that section is amended, to read:

244 | 381.986 Medical use of marijuana.—

245 | (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

246 | (e) A licensed medical marijuana treatment center shall
247 | cultivate, process, transport, and dispense marijuana for
248 | medical use. A licensed medical marijuana treatment center may
249 | not contract for services directly related to the cultivation,
250 | processing, and dispensing of marijuana or marijuana delivery

251 devices, except that a medical marijuana treatment center
252 licensed pursuant to subparagraph (a)1. may contract with a
253 single entity for the cultivation, processing, transporting, and
254 dispensing of marijuana and marijuana delivery devices. A
255 licensed medical marijuana treatment center must, at all times,
256 maintain compliance with the criteria demonstrated and
257 representations made in the initial application and the criteria
258 established in this subsection. Upon request, the department may
259 grant a medical marijuana treatment center a variance from the
260 representations made in the initial application. Consideration
261 of such a request shall be based upon the individual facts and
262 circumstances surrounding the request. A variance may not be
263 granted unless the requesting medical marijuana treatment center
264 can demonstrate to the department that it has a proposed
265 alternative to the specific representation made in its
266 application which fulfills the same or a similar purpose as the
267 specific representation in a way that the department can
268 reasonably determine will not be a lower standard than the
269 specific representation in the application. A variance may not
270 be granted from the requirements in subparagraph 2. and
271 subparagraphs (b)1. and 2.

272 1. A licensed medical marijuana treatment center may
273 transfer ownership to an individual or entity who meets the
274 requirements of this section. A publicly traded corporation or
275 publicly traded company that meets the requirements of this

276 section is not precluded from ownership of a medical marijuana
277 treatment center. To accommodate a change in ownership:

278 a. The licensed medical marijuana treatment center shall
279 notify the department in writing at least 60 days before the
280 anticipated date of the change of ownership.

281 b. The individual or entity applying for initial licensure
282 due to a change of ownership must submit an application that
283 must be received by the department at least 60 days before the
284 date of change of ownership.

285 c. Upon receipt of an application for a license, the
286 department shall examine the application and, within 30 days
287 after receipt, notify the applicant in writing of any apparent
288 errors or omissions and request any additional information
289 required.

290 d. Requested information omitted from an application for
291 licensure must be filed with the department within 21 days after
292 the department's request for omitted information or the
293 application shall be deemed incomplete and shall be withdrawn
294 from further consideration and the fees shall be forfeited.

295 e. Within 30 days after the receipt of a complete
296 application, the department shall approve or deny the
297 application.

298 2. A medical marijuana treatment center, and any
299 individual or entity who directly or indirectly owns, controls,
300 or holds with power to vote 5 percent or more of the voting

301 shares of a medical marijuana treatment center, may not acquire
302 direct or indirect ownership or control of any voting shares or
303 other form of ownership of any other medical marijuana treatment
304 center.

305 3. A medical marijuana treatment center may not enter into
306 any form of profit-sharing arrangement with the property owner
307 or lessor of any of its facilities where cultivation,
308 processing, storing, or dispensing of marijuana and marijuana
309 delivery devices occurs.

310 4. All employees of a medical marijuana treatment center
311 must be 21 years of age or older and have passed a background
312 screening pursuant to subsection (9).

313 5. Each medical marijuana treatment center must adopt and
314 enforce policies and procedures to ensure employees and
315 volunteers receive training on the legal requirements to
316 dispense marijuana to qualified patients.

317 6. When growing marijuana, a medical marijuana treatment
318 center:

319 a. May use pesticides determined by the department, after
320 consultation with the Department of Agriculture and Consumer
321 Services, to be safely applied to plants intended for human
322 consumption, but may not use pesticides designated as
323 restricted-use pesticides pursuant to s. 487.042.

324 b. Must grow marijuana within an enclosed structure and in
325 a room separate from any other plant.

326 c. Must inspect seeds and growing plants for plant pests
327 that endanger or threaten the horticultural and agricultural
328 interests of the state in accordance with chapter 581 and any
329 rules adopted thereunder.

330 d. Must perform fumigation or treatment of plants, or
331 remove and destroy infested or infected plants, in accordance
332 with chapter 581 and any rules adopted thereunder.

333 7. Each medical marijuana treatment center must produce
334 and make available for purchase at least one low-THC cannabis
335 product.

336 8. A medical marijuana treatment center that produces
337 edibles must hold a permit to operate as a food establishment
338 pursuant to chapter 500, the Florida Food Safety Act, and must
339 comply with all the requirements for food establishments
340 pursuant to chapter 500 and any rules adopted thereunder.
341 Edibles may not contain more than 200 milligrams of
342 tetrahydrocannabinol, and a single serving portion of an edible
343 may not exceed 10 milligrams of tetrahydrocannabinol. Edibles
344 may have a potency variance of no greater than 15 percent.
345 Edibles may not be attractive to children; be manufactured in
346 the shape of humans, cartoons, or animals; be manufactured in a
347 form that bears any reasonable resemblance to products available
348 for consumption as commercially available candy; or contain any
349 color additives. To discourage consumption of edibles by
350 children, the department shall determine by rule any shapes,

351 forms, and ingredients allowed and prohibited for edibles.
352 Medical marijuana treatment centers may not begin processing or
353 dispensing edibles until after the effective date of the rule.
354 The department shall also adopt sanitation rules providing the
355 standards and requirements for the storage, display, or
356 dispensing of edibles.

357 9. Within 12 months after licensure, a medical marijuana
358 treatment center must demonstrate to the department that all of
359 its processing facilities have passed a Food Safety Good
360 Manufacturing Practices, such as Global Food Safety Initiative
361 or equivalent, inspection by a nationally accredited certifying
362 body. A medical marijuana treatment center must immediately stop
363 processing at any facility which fails to pass this inspection
364 until it demonstrates to the department that such facility has
365 met this requirement.

366 10. A medical marijuana treatment center that produces
367 prerolled marijuana cigarettes may not use wrapping paper made
368 with tobacco or hemp.

369 11. When processing marijuana, a medical marijuana
370 treatment center must:

371 a. Process the marijuana within an enclosed structure and
372 in a room separate from other plants or products.

373 b. Comply with department rules when processing marijuana
374 with hydrocarbon solvents or other solvents or gases exhibiting
375 potential toxicity to humans. The department shall determine by

376 rule the requirements for medical marijuana treatment centers to
377 use such solvents or gases exhibiting potential toxicity to
378 humans.

379 c. Comply with federal and state laws and regulations and
380 department rules for solid and liquid wastes. The department
381 shall determine by rule procedures for the storage, handling,
382 transportation, management, and disposal of solid and liquid
383 waste generated during marijuana production and processing. The
384 Department of Environmental Protection shall assist the
385 department in developing such rules.

386 d. Test the processed marijuana using a medical marijuana
387 testing laboratory before it is dispensed. Results must be
388 verified and signed by two medical marijuana treatment center
389 employees. Before dispensing, the medical marijuana treatment
390 center must determine that the test results indicate that low-
391 THC cannabis meets the definition of low-THC cannabis, the
392 concentration of tetrahydrocannabinol meets the potency
393 requirements of this section, the labeling of the concentration
394 of tetrahydrocannabinol and cannabidiol is accurate, and all
395 marijuana is safe for human consumption and free from
396 contaminants that are unsafe for human consumption. The
397 department shall determine by rule which contaminants must be
398 tested for and the maximum levels of each contaminant which are
399 safe for human consumption. The Department of Agriculture and
400 Consumer Services shall assist the department in developing the

401 testing requirements for contaminants that are unsafe for human
402 consumption in edibles. The department shall also determine by
403 rule the procedures for the treatment of marijuana that fails to
404 meet the testing requirements of this section, s. 381.988, or
405 department rule. The department may select samples of marijuana
406 ~~a random sample~~ from ~~edibles available for purchase in a~~ medical
407 marijuana treatment center ~~dispensing~~ facility which shall be
408 tested by the department to determine whether ~~that~~ the marijuana
409 ~~edible~~ meets the potency requirements of this section, is safe
410 for human consumption, and is accurately labeled with ~~the~~
411 ~~labeling of~~ the tetrahydrocannabinol and cannabidiol
412 concentration or to verify the result of marijuana testing
413 conducted by a marijuana testing laboratory. The department may
414 also select samples of marijuana delivery devices from a
415 dispensing facility to determine whether the marijuana delivery
416 device is safe for use by qualified patients ~~is accurate~~. A
417 medical marijuana treatment center may not require payment from
418 the department for the sample. A medical marijuana treatment
419 center must recall marijuana edibles, including all marijuana
420 and marijuana products ~~edibles~~ made from the same batch of
421 marijuana, that fails ~~which fail~~ to meet the potency
422 requirements of this section, that is ~~which are~~ unsafe for human
423 consumption, or for which the labeling of the
424 tetrahydrocannabinol and cannabidiol concentration is
425 inaccurate. The medical marijuana treatment center must retain

426 records of all testing and samples of each homogenous batch of
427 marijuana for at least 9 months. The medical marijuana treatment
428 center must contract with a marijuana testing laboratory to
429 perform audits on the medical marijuana treatment center's
430 standard operating procedures, testing records, and samples and
431 provide the results to the department to confirm that the
432 marijuana or low-THC cannabis meets the requirements of this
433 section and that the marijuana or low-THC cannabis is safe for
434 human consumption. A medical marijuana treatment center shall
435 reserve two processed samples from each batch and retain such
436 samples for at least 9 months for the purpose of such audits. A
437 medical marijuana treatment center may use a laboratory that has
438 not been certified by the department under s. 381.988 until such
439 time as at least one laboratory holds the required
440 certification, but in no event later than July 1, 2018.

441 e. Package the marijuana in compliance with the United
442 States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.
443 1471 et seq.

444 f. Package the marijuana in a receptacle that has a firmly
445 affixed and legible label stating the following information:

446 (I) The marijuana or low-THC cannabis meets the
447 requirements of sub-subparagraph d.

448 (II) The name of the medical marijuana treatment center
449 from which the marijuana originates.

450 (III) The batch number and harvest number from which the

451 marijuana originates and the date dispensed.

452 (IV) The name of the physician who issued the physician
453 certification.

454 (V) The name of the patient.

455 (VI) The product name, if applicable, and dosage form,
456 including concentration of tetrahydrocannabinol and cannabidiol.
457 The product name may not contain wording commonly associated
458 with products marketed by or to children.

459 (VII) The recommended dose.

460 (VIII) A warning that it is illegal to transfer medical
461 marijuana to another person.

462 (IX) A marijuana universal symbol developed by the
463 department.

464 12. The medical marijuana treatment center shall include
465 in each package a patient package insert with information on the
466 specific product dispensed related to:

- 467 a. Clinical pharmacology.
- 468 b. Indications and use.
- 469 c. Dosage and administration.
- 470 d. Dosage forms and strengths.
- 471 e. Contraindications.
- 472 f. Warnings and precautions.
- 473 g. Adverse reactions.

474 13. In addition to the packaging and labeling requirements
475 specified in subparagraphs 11. and 12., marijuana in a form for

476 smoking must be packaged in a sealed receptacle with a legible
477 and prominent warning to keep away from children and a warning
478 that states marijuana smoke contains carcinogens and may
479 negatively affect health. Such receptacles for marijuana in a
480 form for smoking must be plain, opaque, and white without
481 depictions of the product or images other than the medical
482 marijuana treatment center's department-approved logo and the
483 marijuana universal symbol.

484 14. The department shall adopt rules to regulate the
485 types, appearance, and labeling of marijuana delivery devices
486 dispensed from a medical marijuana treatment center. The rules
487 must require marijuana delivery devices to have an appearance
488 consistent with medical use.

489 15. Each edible shall be individually sealed in plain,
490 opaque wrapping marked only with the marijuana universal symbol.
491 Where practical, each edible shall be marked with the marijuana
492 universal symbol. In addition to the packaging and labeling
493 requirements in subparagraphs 11. and 12., edible receptacles
494 must be plain, opaque, and white without depictions of the
495 product or images other than the medical marijuana treatment
496 center's department-approved logo and the marijuana universal
497 symbol. The receptacle must also include a list of all the
498 edible's ingredients, storage instructions, an expiration date,
499 a legible and prominent warning to keep away from children and
500 pets, and a warning that the edible has not been produced or

501 inspected pursuant to federal food safety laws.

502 16. When dispensing marijuana or a marijuana delivery
503 device, a medical marijuana treatment center:

504 a. May dispense any active, valid order for low-THC
505 cannabis, medical cannabis and cannabis delivery devices issued
506 pursuant to former s. 381.986, Florida Statutes 2016, which was
507 entered into the medical marijuana use registry before July 1,
508 2017.

509 b. May not dispense more than a 70-day supply of marijuana
510 within any 70-day period to a qualified patient or caregiver.
511 May not dispense more than one 35-day supply of marijuana in a
512 form for smoking within any 35-day period to a qualified patient
513 or caregiver. A 35-day supply of marijuana in a form for smoking
514 may not exceed 2.5 ounces unless an exception to this amount is
515 approved by the department pursuant to paragraph (4)(f).

516 c. Must have the medical marijuana treatment center's
517 employee who dispenses the marijuana or a marijuana delivery
518 device enter into the medical marijuana use registry his or her
519 name or unique employee identifier.

520 d. Must verify that the qualified patient and the
521 caregiver, if applicable, each have an active registration in
522 the medical marijuana use registry and an active and valid
523 medical marijuana use registry identification card, the amount
524 and type of marijuana dispensed matches the physician
525 certification in the medical marijuana use registry for that

526 | qualified patient, and the physician certification has not
527 | already been filled.

528 | e. May not dispense marijuana to a qualified patient who
529 | is younger than 18 years of age. If the qualified patient is
530 | younger than 18 years of age, marijuana may only be dispensed to
531 | the qualified patient's caregiver.

532 | f. May not dispense or sell any other type of cannabis,
533 | alcohol, or illicit drug-related product, including pipes or
534 | wrapping papers made with tobacco or hemp, other than a
535 | marijuana delivery device required for the medical use of
536 | marijuana and which is specified in a physician certification.

537 | g. Must, upon dispensing the marijuana or marijuana
538 | delivery device, record in the registry the date, time,
539 | quantity, and form of marijuana dispensed; the type of marijuana
540 | delivery device dispensed; and the name and medical marijuana
541 | use registry identification number of the qualified patient or
542 | caregiver to whom the marijuana delivery device was dispensed.

543 | h. Must ensure that patient records are not visible to
544 | anyone other than the qualified patient, his or her caregiver,
545 | and authorized medical marijuana treatment center employees.

546 | (14) EXCEPTIONS TO OTHER LAWS.—

547 | (e) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or
548 | any other law, but subject to the requirements of this section,
549 | the department, including an employee of the department acting
550 | within the scope of his or her employment, may acquire, possess,

551 test, transport, and lawfully dispose of marijuana and marijuana
552 delivery devices as provided in this section, in s. 381.988, and
553 by department rule.

554 Section 7. Subsection (1) of section 460.406, Florida
555 Statutes, is amended to read:

556 460.406 Licensure by examination.—

557 (1) Any person desiring to be licensed as a chiropractic
558 physician must apply to the department to take the licensure
559 examination. There shall be an application fee set by the board
560 not to exceed \$100 which shall be nonrefundable. There shall
561 also be an examination fee not to exceed \$500 plus the actual
562 per applicant cost to the department for purchase of portions of
563 the examination from the National Board of Chiropractic
564 Examiners or a similar national organization, which may be
565 refundable if the applicant is found ineligible to take the
566 examination. The department shall examine each applicant who the
567 board certifies has met all of the following criteria:

568 (a) Completed the application form and remitted the
569 appropriate fee.

570 (b) Submitted proof satisfactory to the department that he
571 or she is not less than 18 years of age.

572 (c) Submitted proof satisfactory to the department that he
573 or she is a graduate of a chiropractic college which is
574 accredited by or has status with the Council on Chiropractic
575 Education or its predecessor agency. However, any applicant who

576 is a graduate of a chiropractic college that was initially
577 accredited by the Council on Chiropractic Education in 1995, who
578 graduated from such college within the 4 years immediately
579 preceding such accreditation, and who is otherwise qualified is
580 ~~shall be~~ eligible to take the examination. An ~~No~~ application for
581 a license to practice chiropractic medicine may not ~~shall~~ be
582 denied solely because the applicant is a graduate of a
583 chiropractic college that subscribes to one philosophy of
584 chiropractic medicine as distinguished from another.

585 (d)1. For an applicant who has matriculated in a
586 chiropractic college before ~~prior to~~ July 2, 1990, completed at
587 least 2 years of residence college work, consisting of a minimum
588 of one-half the work acceptable for a bachelor's degree granted
589 on the basis of a 4-year period of study, in a college or
590 university accredited by an institutional accrediting agency
591 recognized and approved by the United States Department of
592 Education. However, before ~~prior to~~ being certified by the board
593 to sit for the examination, each applicant who has matriculated
594 in a chiropractic college after July 1, 1990, must ~~shall~~ have
595 been granted a bachelor's degree, based upon 4 academic years of
596 study, by a college or university accredited by an institutional
597 ~~a regional~~ accrediting agency which is a member of the
598 Commission on Recognition of Postsecondary Accreditation.

599 2. Effective July 1, 2000, completed, before ~~prior to~~
600 matriculation in a chiropractic college, at least 3 years of

601 residence college work, consisting of a minimum of 90 semester
602 hours leading to a bachelor's degree in a liberal arts college
603 or university accredited by an institutional accrediting agency
604 recognized and approved by the United States Department of
605 Education. However, before ~~prior to~~ being certified by the board
606 to sit for the examination, each applicant who has matriculated
607 in a chiropractic college after July 1, 2000, must ~~shall~~ have
608 been granted a bachelor's degree from an institution holding
609 accreditation for that degree from an institutional ~~a regional~~
610 accrediting agency which is recognized by the United States
611 Department of Education. The applicant's chiropractic degree
612 must consist of credits earned in the chiropractic program and
613 may not include academic credit for courses from the bachelor's
614 degree.

615 (e) Successfully completed the National Board of
616 Chiropractic Examiners certification examination in parts I, II,
617 III, and IV, and the physiotherapy examination of the National
618 Board of Chiropractic Examiners, with a score approved by the
619 board.

620 (f) Submitted to the department a set of fingerprints on a
621 form and under procedures specified by the department, along
622 with payment in an amount equal to the costs incurred by the
623 Department of Health for the criminal background check of the
624 applicant.

625

626 The board may require an applicant who graduated from an
627 institution accredited by the Council on Chiropractic Education
628 more than 10 years before the date of application to the board
629 to take the National Board of Chiropractic Examiners Special
630 Purposes Examination for Chiropractic, or its equivalent, as
631 determined by the board. The board shall establish by rule a
632 passing score.

633 Section 8. Paragraph (e) of subsection (1) of section
634 464.018, Florida Statutes, is amended to read:

635 464.018 Disciplinary actions.—

636 (1) The following acts constitute grounds for denial of a
637 license or disciplinary action, as specified in ss. 456.072(2)
638 and 464.0095:

639 (e) Having been found guilty of, ~~regardless of~~
640 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,
641 regardless of adjudication, any offense prohibited under s.
642 435.04 or similar statute of another jurisdiction; or having
643 committed an act which constitutes domestic violence as defined
644 in s. 741.28.

645 Section 9. Present subsections (13) and (14) of section
646 467.003, Florida Statutes, are redesignated as subsections (14)
647 and (15), respectively, a new subsection (13) is added to that
648 section, and subsections (1) and (12) of that section are
649 amended, to read:

650 467.003 Definitions.—As used in this chapter, unless the

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651 context otherwise requires:

652 (1) "Approved midwifery program" means ~~a midwifery school~~
653 ~~or~~ a midwifery training program that ~~which~~ is approved by the
654 department pursuant to s. 467.205.

655 (12) "Preceptor" means a physician licensed under chapter
656 458 or chapter 459, a ~~licensed~~ midwife licensed under this
657 chapter, or a certified nurse midwife licensed under chapter
658 464, who has a minimum of 3 years' professional experience, and
659 who directs, teaches, supervises, and evaluates the learning
660 experiences of a ~~the~~ student midwife as part of an approved
661 midwifery program.

662 (13) "Prelicensure course" means a course of study,
663 offered by an approved midwifery program and approved by the
664 department, which an applicant for licensure must complete
665 before a license may be issued and which provides instruction in
666 the laws and rules of this state and demonstrates the student's
667 competency to practice midwifery under this chapter.

668 Section 10. Section 467.009, Florida Statutes, is amended
669 to read:

670 467.009 Approved midwifery programs; education and
671 training requirements.—

672 (1) The department shall adopt standards for approved
673 midwifery programs which must include, but need not be limited
674 to, standards for all of the following:

675 (a) ~~The standards shall encompass~~ Clinical and classroom

676 instruction in all aspects of prenatal, intrapartal, and
 677 postpartal care, including all of the following:

- 678 1. Obstetrics.~~†~~
- 679 2. Neonatal pediatrics.~~†~~
- 680 3. Basic sciences.~~†~~
- 681 4. Female reproductive anatomy and physiology.~~†~~
- 682 5. Behavioral sciences.~~†~~
- 683 6. Childbirth education.~~†~~
- 684 7. Community care.~~†~~
- 685 8. Epidemiology.~~†~~
- 686 9. Genetics.~~†~~
- 687 10. Embryology.~~†~~
- 688 11. Neonatology.~~†~~
- 689 12. Applied pharmacology.~~†~~
- 690 13. The medical and legal aspects of midwifery.~~†~~
- 691 14. Gynecology and women's health.~~†~~
- 692 15. Family planning.~~†~~
- 693 16. Nutrition during pregnancy and lactation.~~†~~
- 694 17. Breastfeeding.~~†~~ ~~and~~
- 695 18. Basic nursing skills; ~~and any other instruction~~
 696 ~~determined by the department and council to be necessary.~~

697 (b) ~~The standards shall incorporate the Core competencies,~~
 698 incorporating those established by the American College of Nurse
 699 Midwives and the Midwives Alliance of North America, including
 700 knowledge, skills, and professional behavior in all of the

701 following areas:

702 1. Primary management, collaborative management, referral,
703 and medical consultation.~~;~~

704 2. Antepartal, intrapartal, postpartal, and neonatal
705 care.~~;~~

706 3. Family planning and gynecological care.~~;~~

707 4. Common complications.~~;~~ and

708 5. Professional responsibilities.

709 (c) Noncurricular ~~The standards shall include~~
710 ~~noncurriculum~~ matters under this section, including, but not
711 limited to, staffing and teacher qualifications.

712 (2) An approved midwifery program must offer ~~shall include~~
713 a course of study ~~and clinical training~~ for a minimum of 3 years
714 which incorporates all of the standards, curriculum guidelines,
715 and educational objectives provided in this section and the
716 rules adopted hereunder.

717 (3) An approved midwifery program may reduce ~~If the~~
718 ~~applicant is a registered nurse or a licensed practical nurse or~~
719 ~~has previous nursing or midwifery education,~~ the required period
720 of training ~~may be reduced~~ to the extent of the student's
721 ~~applicant's~~ qualifications as a registered nurse or licensed
722 practical nurse or based on prior completion of equivalent
723 nursing or midwifery education, as determined ~~under rules~~
724 ~~adopted by the department~~ rule. ~~In no case shall the training be~~
725 ~~reduced to a period of less than 2 years.~~

726 (4)-(3) An approved midwifery program may accept students
 727 who ~~To be accepted into an approved midwifery program, an~~
 728 ~~applicant shall have both:~~

729 (a) A high school diploma or its equivalent.

730 (b) Taken three college-level credits each of math and
 731 English or demonstrated competencies in communication and
 732 computation.

733 (5)-(4) As part of its course of study, an approved
 734 midwifery program must require clinical training that includes
 735 all of the following:

736 (a) A student midwife, during training, shall undertake,
 737 under the supervision of a preceptor, The care of 50 women in
 738 each of the prenatal, intrapartal, and postpartal periods under
 739 the supervision of a preceptor. ~~but~~ The same women need not be
 740 seen through all three periods.

741 (b)-(5) Observation of ~~The student midwife shall observe an~~
 742 additional 25 women in the intrapartal period ~~before qualifying~~
 743 ~~for a license.~~

744 (6) Clinical ~~The~~ training required under this section must
 745 include all of the following:

746 (a) shall include Training in ~~either~~ hospitals, ~~or~~
 747 alternative birth settings, or both.

748 (b) A requirement that students demonstrate competency in
 749 the assessment of and differentiation, ~~with particular emphasis~~
 750 ~~on learning the ability to differentiate between low-risk~~

751 pregnancies and high-risk pregnancies.

752 (7) A hospital or birthing center receiving public funds
753 shall be required to provide student midwives access to observe
754 labor, delivery, and postpartal procedures, provided the woman
755 in labor has given informed consent. The Department of Health
756 shall assist in facilitating access to hospital training for
757 approved midwifery programs.

758 (8)~~(7)~~ The Department of Education shall adopt curricular
759 frameworks for midwifery programs conducted within public
760 educational institutions under ~~pursuant to~~ this section.

761 ~~(8) Nonpublic educational institutions that conduct~~
762 ~~approved midwifery programs shall be accredited by a member of~~
763 ~~the Commission on Recognition of Postsecondary Accreditation and~~
764 ~~shall be licensed by the Commission for Independent Education.~~

765 Section 11. Section 467.011, Florida Statutes, is amended
766 to read:

767 467.011 Licensed midwives; qualifications; examination
768 ~~Licensure by examination.~~

769 ~~(1) The department shall administer an examination to test~~
770 ~~the proficiency of applicants in the core competencies required~~
771 ~~to practice midwifery as specified in s. 467.009.~~

772 ~~(2) The department shall develop, publish, and make~~
773 ~~available to interested parties at a reasonable cost a~~
774 ~~bibliography and guide for the examination.~~

775 ~~(3)~~ The department shall issue a license to practice

776 midwifery to an applicant who meets all of the following
777 criteria:

778 (1) Demonstrates that he or she has graduated from one of
779 the following:

780 (a) An approved midwifery program.

781 (b) A medical or midwifery program offered in another
782 state, jurisdiction, territory, or country whose graduation
783 requirements were equivalent to or exceeded those required by s.
784 467.009 and the rules adopted thereunder at the time of
785 graduation.

786 (2) Demonstrates that he or she has and successfully
787 completed a prelicensure course offered by an approved midwifery
788 program. Students graduating from an approved midwifery program
789 may meet this requirement by showing that the content
790 requirements for the prelicensure course were covered as part of
791 their course of study.

792 (3) Submits an application for licensure on a form
793 approved by the department and pays the appropriate fee.

794 (4) Demonstrates that he or she has received a passing
795 score on an ~~the~~ examination specified by the department, ~~upon~~
796 ~~payment of the required licensure fee.~~

797 Section 12. Section 467.0125, Florida Statutes, is amended
798 to read:

799 467.0125 Licensed midwives; qualifications; ~~Licensure by~~
800 endorsement; temporary certificates.-

801 (1) The department shall issue a license by endorsement to
802 practice midwifery to an applicant who, upon applying to the
803 department, demonstrates to the department that she or he meets
804 all of the following criteria:

805 ~~(a)1. Holds a valid certificate or diploma from a foreign~~
806 ~~institution of medicine or midwifery or from a midwifery program~~
807 ~~offered in another state, bearing the seal of the institution or~~
808 ~~otherwise authenticated, which renders the individual eligible~~
809 ~~to practice midwifery in the country or state in which it was~~
810 ~~issued, provided the requirements therefor are deemed by the~~
811 ~~department to be substantially equivalent to, or to exceed,~~
812 ~~those established under this chapter and rules adopted under~~
813 ~~this chapter, and submits therewith a certified translation of~~
814 ~~the foreign certificate or diploma; or~~

815 2. Holds an active, unencumbered ~~a valid certificate or~~
816 ~~license to practice midwifery in another state, jurisdiction, or~~
817 ~~territory issued by that state, provided the licensing~~
818 ~~requirements of that state, jurisdiction, or territory at the~~
819 ~~time the license was issued were therefor are deemed by the~~
820 ~~department to be substantially equivalent to, or exceeded to~~
821 ~~exceed, those established under this chapter and the rules~~
822 ~~adopted thereunder under this chapter.~~

823 (b) Has successfully completed a ~~4-month~~ prelicensure
824 course conducted by an approved midwifery program ~~and has~~
825 ~~submitted documentation to the department of successful~~

826 ~~completion.~~

827 (c) Submits an application for licensure on a form
 828 approved by the department and pays the appropriate fee ~~Has~~
 829 ~~successfully passed the licensed midwifery examination.~~

830 (2) The department may issue a temporary certificate to
 831 practice in areas of critical need to an applicant ~~any midwife~~
 832 who is qualifying for a midwifery license ~~licensure by~~
 833 ~~endorsement~~ under subsection (1) who meets all of the following
 834 criteria, with the following restrictions:

835 (a) Submits an application for a temporary certificate on
 836 a form approved by the department and pays the appropriate fee,
 837 which may not exceed \$50 and is in addition to the fee required
 838 for licensure by endorsement under subsection (1);

839 (b) Specifies on the application that he or she will ~~The~~
 840 ~~Department of Health shall determine the areas of critical need,~~
 841 ~~and the midwife so certified shall practice only in~~ one or more
 842 of the following locations:

- 843 1. A county health department;
- 844 2. A correctional facility;
- 845 3. A Department of Veterans' Affairs clinic;
- 846 4. A community health center funded by s. 329, s. 330, or
 847 s. 340 of the United States Public Health Service Act; or
- 848 5. Any other agency or institution that is approved by the
 849 State Surgeon General and provides health care to meet the needs
 850 of an underserved population in this state; and ~~those specific~~

851 ~~areas,~~

852 (c) Will practice only under the supervision auspices of a
853 physician licensed under ~~pursuant to~~ chapter 458 or chapter 459,
854 a certified nurse midwife licensed under ~~pursuant to~~ part I of
855 chapter 464, or a midwife licensed under this chapter, who has a
856 minimum of 3 years' professional experience.

857 (3) The department may issue a temporary certificate under
858 this section with the following restrictions:

859 (a) A requirement that a temporary certificateholder
860 practice only in areas of critical need. The State Surgeon
861 General shall determine the areas of critical need, which ~~Such~~
862 areas shall include, but are not be limited to, health
863 professional shortage areas designated by the United States
864 Department of Health and Human Services.

865 (b) A requirement that if a temporary certificateholder's
866 practice area ceases to be an area of critical need, within 30
867 days after such change the certificateholder must either:

868 1. Report a new practice area of critical need to the
869 department; or

870 2. Voluntarily relinquish the temporary certificate.

871 (c) The department shall review a temporary
872 certificateholder's practice at least annually to determine
873 whether the certificateholder is meeting the requirements of
874 subsections (2) and (3) and the rules adopted thereunder. If the
875 department determines that a certificateholder is not meeting

876 these requirements, the department must revoke the temporary
877 certificate.

878 (d) A temporary certificate issued under this section is
879 ~~shall be valid only as long as an area for which it is issued~~
880 ~~remains an area of critical need, but no longer than 2 years,~~
881 and is ~~shall~~ not be renewable.

882 ~~(c)~~ The department may administer an abbreviated oral
883 examination to determine the midwife's competency, but no
884 written regular examination shall be necessary.

885 ~~(d)~~ The department shall not issue a temporary certificate
886 to any midwife who is under investigation in another state for
887 an act which would constitute a violation of this chapter until
888 such time as the investigation is complete, at which time the
889 provisions of this section shall apply.

890 ~~(e)~~ The department shall review the practice under a
891 temporary certificate at least annually to ascertain that the
892 minimum requirements of the midwifery rules promulgated under
893 this chapter are being met. If it is determined that the minimum
894 requirements are not being met, the department shall immediately
895 revoke the temporary certificate.

896 ~~(f)~~ The fee for a temporary certificate shall not exceed
897 \$50 and shall be in addition to the fee required for licensure.

898 Section 13. Section 467.205, Florida Statutes, is amended
899 to read:

900 467.205 Approval of midwifery programs.—

901 (1) The department shall approve an accredited or state-
902 licensed public or private institution seeking to provide
903 midwifery education and training as an approved midwifery
904 program in this state if the institution meets all of the
905 following criteria:

906 (a) Submits an application for approval on a form approved
907 by the department.

908 (b) Demonstrates to the department's satisfaction that the
909 proposed midwifery program complies with s. 467.009 and the
910 rules adopted thereunder.

911 (c) For a private institution, demonstrates its
912 accreditation by a member of the Council for Higher Education
913 Accreditation and its licensing or provisional licensing by the
914 Commission for Independent Education ~~An organization desiring to~~
915 ~~conduct an approved program for the education of midwives shall~~
916 ~~apply to the department and submit such evidence as may be~~
917 ~~required to show that it complies with s. 467.009 and with the~~
918 ~~rules of the department. Any accredited or state-licensed~~
919 ~~institution of higher learning, public or private, may provide~~
920 ~~midwifery education and training.~~

921 ~~(2) The department shall adopt rules regarding educational~~
922 ~~objectives, faculty qualifications, curriculum guidelines,~~
923 ~~administrative procedures, and other training requirements as~~
924 ~~are necessary to ensure that approved programs graduate midwives~~
925 ~~competent to practice under this chapter.~~

926 ~~(3) The department shall survey each organization applying~~
927 ~~for approval. If the department is satisfied that the program~~
928 ~~meets the requirements of s. 467.009 and rules adopted pursuant~~
929 ~~to that section, it shall approve the program.~~

930 (2)(4) The department shall, at least once every 3 years,
931 certify whether each approved midwifery program is currently
932 compliant, and has maintained compliance, ~~complies~~ with the
933 requirements of standards developed under s. 467.009 and the
934 rules adopted thereunder.

935 ~~(3)(5)~~ If the department finds that an approved midwifery
936 program is not in compliance with the requirements of s. 467.009
937 or the rules adopted thereunder, or has lost its accreditation
938 status, the department must provide its finding to the program
939 in writing and no longer meets the required standards, it may
940 place the program on probationary status for a specified period
941 of time, which may not exceed 3 years until such time as the
942 standards are restored.

943 (4) If a program on probationary status does not come into
944 compliance with the requirements of s. 467.009 or the rules
945 adopted thereunder, or regain its accreditation status, as
946 applicable, within the period specified by the department fails
947 to correct these conditions within a specified period of time,
948 the department may rescind the program's approval.

949 (5) ~~A~~ Any program that has having its approval rescinded
950 has shall have the right to reapply for approval.

951 (6) The department may grant provisional approval of a new
952 program seeking accreditation status, for a period not to exceed
953 5 years, provided that all other requirements of this section
954 are met.

955 (7) The department may rescind provisional approval of a
956 program that fails to the meet the requirements of s. 467.009,
957 this section, or the rules adopted thereunder, in accordance
958 with procedures provided in subsections (3) and (4) may be
959 granted pending the licensure results of the first graduating
960 class.

961 Section 14. Subsections (2), (3), and (4) and paragraphs
962 (a) and (b) of subsection (5) of section 468.803, Florida
963 Statutes, are amended to read:

964 468.803 License, registration, and examination
965 requirements.—

966 (2) An applicant for registration, examination, or
967 licensure must apply to the department on a form prescribed by
968 the board for consideration of board approval. Each initial
969 applicant shall submit ~~a set of~~ fingerprints to the department
970 ~~on a form and~~ under procedures specified by the department,
971 ~~along with payment in an amount equal to the costs incurred by~~
972 ~~the department~~ for state and national criminal history checks of
973 the applicant. ~~The department shall submit the fingerprints~~
974 ~~provided by an applicant to the Department of Law Enforcement~~
975 ~~for a statewide criminal history check, and the Department of~~

976 ~~Law Enforcement shall forward the fingerprints to the Federal~~
 977 ~~Bureau of Investigation for a national criminal history check of~~
 978 ~~the applicant.~~ The board shall screen the results to determine
 979 if an applicant meets licensure requirements. The board shall
 980 consider for examination, registration, or licensure each
 981 applicant who the board verifies:

982 (a) Has submitted the completed application and completed
 983 the fingerprinting requirements ~~fingerprint forms~~ and has paid
 984 the applicable application fee, not to exceed \$500, ~~and the cost~~
 985 ~~of the state and national criminal history checks.~~ The
 986 application fee is ~~and cost of the criminal history checks shall~~
 987 ~~be~~ nonrefundable;

988 (b) Is of good moral character;

989 (c) Is 18 years of age or older; and

990 (d) Has completed the appropriate educational preparation.

991 (3) A person seeking to attain the orthotics or
 992 prosthetics experience required for licensure in this state must
 993 be approved by the board and registered as a resident by the
 994 department. Although a registration may be held in both
 995 disciplines, for independent registrations the board may not
 996 approve a second registration until at least 1 year after the
 997 issuance of the first registration. Notwithstanding subsection
 998 (2), a person who has been approved by the board and registered
 999 by the department in one discipline may apply for registration
 1000 in the second discipline without an additional state or national

1001 criminal history check during the period in which the first
1002 registration is valid. Each independent registration or dual
1003 registration is valid for 2 years after the date of issuance
1004 unless otherwise revoked by the department upon recommendation
1005 of the board. The board shall set a registration fee not to
1006 exceed \$500 to be paid by the applicant. A registration may be
1007 renewed once by the department upon recommendation of the board
1008 for a period no longer than 1 year, as such renewal is defined
1009 by the board by rule. The renewal fee may not exceed one-half
1010 the current registration fee. To be considered by the board for
1011 approval of registration as a resident, the applicant must have
1012 one of the following:

1013 (a) A Bachelor of Science or higher-level postgraduate
1014 degree in orthotics and prosthetics from an ~~a regionally~~
1015 accredited college or university recognized by the Commission on
1016 Accreditation of Allied Health Education Programs.

1017 (b) A minimum of a bachelor's degree from an
1018 institutionally ~~a regionally~~ accredited college or university
1019 and a certificate in orthotics or prosthetics from a program
1020 recognized by the Commission on Accreditation of Allied Health
1021 Education Programs, or its equivalent, as determined by the
1022 board.

1023 (c) A minimum of a bachelor's degree from an
1024 institutionally ~~a regionally~~ accredited college or university
1025 and a dual certificate in both orthotics and prosthetics from

1026 | programs recognized by the Commission on Accreditation of Allied
 1027 | Health Education Programs, or its equivalent, as determined by
 1028 | the board.

1029 | (4) The department may develop and administer a state
 1030 | examination for an orthotist or a prosthetist license, or the
 1031 | board may approve the existing examination of a national
 1032 | standards organization. The examination must be predicated on a
 1033 | minimum of a baccalaureate-level education and formalized
 1034 | specialized training in the appropriate field. Each examination
 1035 | must demonstrate a minimum level of competence in basic
 1036 | scientific knowledge, written problem solving, and practical
 1037 | clinical patient management. The board shall require an
 1038 | examination fee not to exceed the actual cost to the board in
 1039 | developing, administering, and approving the examination, which
 1040 | fee must be paid by the applicant. To be considered by the board
 1041 | for examination, the applicant must have:

1042 | (a) For an examination in orthotics:

1043 | 1. A Bachelor of Science or higher-level postgraduate
 1044 | degree in orthotics and prosthetics from an institutionally a
 1045 | ~~regionally~~ accredited college or university recognized by the
 1046 | Commission on Accreditation of Allied Health Education Programs
 1047 | or, at a minimum, a bachelor's degree from an institutionally a
 1048 | ~~regionally~~ accredited college or university and a certificate in
 1049 | orthotics from a program recognized by the Commission on
 1050 | Accreditation of Allied Health Education Programs, or its

1051 equivalent, as determined by the board; and
 1052 2. An approved orthotics internship of 1 year of qualified
 1053 experience, as determined by the board, or an orthotic residency
 1054 or dual residency program recognized by the board.
 1055 (b) For an examination in prosthetics:
 1056 1. A Bachelor of Science or higher-level postgraduate
 1057 degree in orthotics and prosthetics from an institutionally a
 1058 ~~regionally~~ accredited college or university recognized by the
 1059 Commission on Accreditation of Allied Health Education Programs
 1060 or, at a minimum, a bachelor's degree from an institutionally a
 1061 ~~regionally~~ accredited college or university and a certificate in
 1062 prosthetics from a program recognized by the Commission on
 1063 Accreditation of Allied Health Education Programs, or its
 1064 equivalent, as determined by the board; and
 1065 2. An approved prosthetics internship of 1 year of
 1066 qualified experience, as determined by the board, or a
 1067 prosthetic residency or dual residency program recognized by the
 1068 board.
 1069 (5) In addition to the requirements in subsection (2), to
 1070 be licensed as:
 1071 (a) An orthotist, the applicant must pay a license fee not
 1072 to exceed \$500 and must have:
 1073 1. A Bachelor of Science or higher-level postgraduate
 1074 degree in Orthotics and Prosthetics from an institutionally a
 1075 ~~regionally~~ accredited college or university recognized by the

1076 Commission on Accreditation of Allied Health Education Programs,
 1077 or a bachelor's degree from an institutionally accredited
 1078 college or university and ~~with~~ a certificate in orthotics from a
 1079 program recognized by the Commission on Accreditation of Allied
 1080 Health Education Programs, or its equivalent, as determined by
 1081 the board;

1082 2. An approved ~~appropriate~~ internship of 1 year of
 1083 qualified experience, as determined by the board, or a residency
 1084 program recognized by the board;

1085 3. Completed the mandatory courses; and

1086 4. Passed the state orthotics examination or the board-
 1087 approved orthotics examination.

1088 (b) A prosthetist, the applicant must pay a license fee
 1089 not to exceed \$500 and must have:

1090 1. A Bachelor of Science or higher-level postgraduate
 1091 degree in Orthotics and Prosthetics from an institutionally a
 1092 ~~regionally~~ accredited college or university recognized by the
 1093 Commission on Accreditation of Allied Health Education Programs,
 1094 or a bachelor's degree from an institutionally accredited
 1095 college or university and ~~with~~ a certificate in prosthetics from
 1096 a program recognized by the Commission on Accreditation of
 1097 Allied Health Education Programs, or its equivalent, as
 1098 determined by the board;

1099 2. An internship of 1 year of qualified experience, as
 1100 determined by the board, or a residency program recognized by

1101 the board;

1102 3. Completed the mandatory courses; and

1103 4. Passed the state prosthetics examination or the board-
1104 approved prosthetics examination.

1105 Section 15. Section 483.824, Florida Statutes, is amended
1106 to read:

1107 483.824 Qualifications of clinical laboratory director.—A
1108 clinical laboratory director must have 4 years of clinical
1109 laboratory experience with 2 years of experience in the
1110 specialty to be directed or be nationally board certified in the
1111 specialty to be directed, and must meet one of the following
1112 requirements:

1113 (1) Be a physician licensed under chapter 458 or chapter
1114 459;

1115 (2) Hold an earned doctoral degree in a chemical,
1116 physical, or biological science from an ~~a regionally~~ accredited
1117 institution and maintain national certification requirements
1118 equal to those required by the federal Health Care Financing
1119 Administration; or

1120 (3) For the subspecialty of oral pathology, be a physician
1121 licensed under chapter 458 or chapter 459 or a dentist licensed
1122 under chapter 466.

1123 Section 16. Subsection (3) of section 490.003, Florida
1124 Statutes, is amended to read:

1125 490.003 Definitions.—As used in this chapter:

1126 (3) (a) "Doctoral degree from an American Psychological
 1127 Association accredited program" means ~~Effective July 1, 1999,~~
 1128 ~~"doctoral-level psychological education" and "doctoral degree in~~
 1129 ~~psychology"~~ mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in
 1130 psychology from a psychology program at an educational
 1131 institution that, at the time the applicant was enrolled and
 1132 graduated:

1133 1.(a) Had institutional accreditation from an agency
 1134 recognized and approved by the United States Department of
 1135 Education or was recognized as a member in good standing with
 1136 the Association of Universities and Colleges of Canada; and

1137 2.(b) Had programmatic accreditation from the American
 1138 Psychological Association.

1139 (b) "Doctoral degree in psychology" means a Psy.D., an
 1140 Ed.D. in psychology, or a Ph.D. in psychology from a psychology
 1141 program at an educational institution that, at the time the
 1142 applicant was enrolled and graduated, had institutional
 1143 accreditation from an agency recognized and approved by the
 1144 United States Department of Education or was recognized as a
 1145 member in good standing with the Association of Universities and
 1146 Colleges of Canada.

1147 Section 17. Subsection (1) of section 490.005, Florida
 1148 Statutes, is amended to read:

1149 490.005 Licensure by examination.—

1150 (1) Any person desiring to be licensed as a psychologist

1151 shall apply to the department to take the licensure examination.
1152 The department shall license each applicant who the board
1153 certifies has met all of the following requirements:

1154 (a) Completed the application form and remitted a
1155 nonrefundable application fee not to exceed \$500 and an
1156 examination fee set by the board sufficient to cover the actual
1157 per applicant cost to the department for development, purchase,
1158 and administration of the examination, but not to exceed \$500.

1159 (b) Submitted proof satisfactory to the board that the
1160 applicant has received:

1161 1. A doctoral degree from an American Psychological
1162 Association accredited program ~~Doctoral-level psychological~~
1163 ~~education~~; or

1164 2. The equivalent of a doctoral degree from an American
1165 Psychological Association accredited program ~~doctoral-level~~
1166 ~~psychological education, as defined in s. 490.003(3),~~ from a
1167 program at a school or university located outside the United
1168 States of America which was officially recognized by the
1169 government of the country in which it is located as an
1170 institution or program to train students to practice
1171 professional psychology. The applicant has the burden of
1172 establishing that this requirement has been met.

1173 (c) Had at least 2 years or 4,000 hours of experience in
1174 the field of psychology in association with or under the
1175 supervision of a licensed psychologist meeting the academic and

1176 | experience requirements of this chapter or the equivalent as
 1177 | determined by the board. The experience requirement may be met
 1178 | by work performed on or off the premises of the supervising
 1179 | psychologist if the off-premises work is not the independent,
 1180 | private practice rendering of psychological services that does
 1181 | not have a psychologist as a member of the group actually
 1182 | rendering psychological services on the premises.

1183 | (d) Passed the examination. However, an applicant who has
 1184 | obtained a passing score, as established by the board by rule,
 1185 | on the psychology licensure examination designated by the board
 1186 | as the national licensure examination need only pass the Florida
 1187 | law and rules portion of the examination.

1188 | Section 18. Subsection (1) of section 490.0051, Florida
 1189 | Statutes, is amended to read:

1190 | 490.0051 Provisional licensure; requirements.—

1191 | (1) The department shall issue a provisional psychology
 1192 | license to each applicant who the board certifies has:

1193 | (a) Completed the application form and remitted a
 1194 | nonrefundable application fee not to exceed \$250, as set by
 1195 | board rule.

1196 | (b) Earned a doctoral degree from an American
 1197 | Psychological Association accredited program ~~in psychology as~~
 1198 | ~~defined in s. 490.003(3).~~

1199 | (c) Met any additional requirements established by board
 1200 | rule.

1201 Section 19. Subsections (1), (3), and (4) of section
 1202 491.005, Florida Statutes, are amended to read:

1203 491.005 Licensure by examination.—

1204 (1) CLINICAL SOCIAL WORK.—Upon verification of
 1205 documentation and payment of a fee not to exceed \$200, as set by
 1206 board rule, ~~plus the actual per applicant cost to the department~~
 1207 ~~for purchase of the examination from the American Association of~~
 1208 ~~State Social Worker's Boards or a similar national organization,~~
 1209 the department shall issue a license as a clinical social worker
 1210 to an applicant who the board certifies has met all of the
 1211 following criteria:

1212 (a) ~~Has~~ Submitted an application and paid the appropriate
 1213 fee.

1214 (b)1. ~~Has~~ Received a doctoral degree in social work from a
 1215 graduate school of social work which at the time the applicant
 1216 graduated was accredited by an accrediting agency recognized by
 1217 the United States Department of Education or has received a
 1218 master's degree in social work from a graduate school of social
 1219 work which at the time the applicant graduated:

1220 a. Was accredited by the Council on Social Work Education;

1221 b. Was accredited by the Canadian Association of Schools
 1222 of Social Work; or

1223 c. Has been determined to have been a program equivalent
 1224 to programs approved by the Council on Social Work Education by
 1225 the Foreign Equivalency Determination Service of the Council on

1226 Social Work Education. An applicant who graduated from a program
1227 at a university or college outside of the United States or
1228 Canada must present documentation of the equivalency
1229 determination from the council in order to qualify.

1230 2. The applicant's graduate program must have emphasized
1231 direct clinical patient or client health care services,
1232 including, but not limited to, coursework in clinical social
1233 work, psychiatric social work, medical social work, social
1234 casework, psychotherapy, or group therapy. The applicant's
1235 graduate program must have included all of the following
1236 coursework:

1237 a. A supervised field placement which was part of the
1238 applicant's advanced concentration in direct practice, during
1239 which the applicant provided clinical services directly to
1240 clients.

1241 b. Completion of 24 semester hours or 32 quarter hours in
1242 theory of human behavior and practice methods as courses in
1243 clinically oriented services, including a minimum of one course
1244 in psychopathology, and no more than one course in research,
1245 taken in a school of social work accredited or approved pursuant
1246 to subparagraph 1.

1247 3. If the course title which appears on the applicant's
1248 transcript does not clearly identify the content of the
1249 coursework, the applicant shall be required to provide
1250 additional documentation, including, but not limited to, a

1251 syllabus or catalog description published for the course.

1252 (c) ~~Has~~ Had at least 2 years of clinical social work
1253 experience, which took place subsequent to completion of a
1254 graduate degree in social work at an institution meeting the
1255 accreditation requirements of this section, under the
1256 supervision of a licensed clinical social worker or the
1257 equivalent who is a qualified supervisor as determined by the
1258 board. An individual who intends to practice in Florida to
1259 satisfy clinical experience requirements must register pursuant
1260 to s. 491.0045 before commencing practice. If the applicant's
1261 graduate program was not a program which emphasized direct
1262 clinical patient or client health care services as described in
1263 subparagraph (b)2., the supervised experience requirement must
1264 take place after the applicant has completed a minimum of 15
1265 semester hours or 22 quarter hours of the coursework required. A
1266 doctoral internship may be applied toward the clinical social
1267 work experience requirement. A licensed mental health
1268 professional must be on the premises when clinical services are
1269 provided by a registered intern in a private practice setting.
1270 When a registered intern is providing clinical services through
1271 telehealth, a licensed mental health professional must be
1272 accessible by telephone or electronic means.

1273 (d) ~~Has~~ Passed a theory and practice examination
1274 designated by board rule ~~provided by the department for this~~
1275 ~~purpose.~~

1276 (e) ~~Has~~ Demonstrated, in a manner designated by rule of
 1277 the board, knowledge of the laws and rules governing the
 1278 practice of clinical social work, marriage and family therapy,
 1279 and mental health counseling.

1280 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
 1281 documentation and payment of a fee not to exceed \$200, as set by
 1282 board rule, plus the actual cost of the purchase of the
 1283 examination from the Association of Marital and Family Therapy
 1284 Regulatory Board, or similar national organization, the
 1285 department shall issue a license as a marriage and family
 1286 therapist to an applicant who the board certifies has met all of
 1287 the following criteria:

1288 (a) ~~Has~~ Submitted an application and paid the appropriate
 1289 fee.

1290 (b) 1. Obtained one of the following:

1291 a. ~~Has~~ A minimum of a master's degree with major emphasis
 1292 in marriage and family therapy or a closely related field from a
 1293 program accredited by the Commission on Accreditation for
 1294 Marriage and Family Therapy Education or from a Florida
 1295 university program accredited by the Council for Accreditation
 1296 of Counseling and Related Educational Programs.

1297 b. A minimum of a master's degree with an emphasis in
 1298 marriage and family therapy with a degree conferred date before
 1299 July 1, 2026, from an institutionally accredited Florida college
 1300 or university that is not yet accredited by the Commission on

1301 Accreditation for Marriage and Family Therapy Education or the
 1302 Council for Accreditation of Counseling and Related Educational
 1303 Programs.

1304 2. Completed ~~and~~ graduate courses approved by the Board of
 1305 Clinical Social Work, Marriage and Family Therapy, and Mental
 1306 Health Counseling.

1307
 1308 If the course title that appears on the applicant's transcript
 1309 does not clearly identify the content of the coursework, the
 1310 applicant shall provide additional documentation, including, but
 1311 not limited to, a syllabus or catalog description published for
 1312 the course. The required master's degree must have been received
 1313 in an institution of higher education that, at the time the
 1314 applicant graduated, was fully accredited by an institutional ~~a~~
 1315 ~~regional~~ accrediting body recognized by the Commission on
 1316 Recognition of Postsecondary Accreditation or publicly
 1317 recognized as a member in good standing with the Association of
 1318 Universities and Colleges of Canada, or an institution of higher
 1319 education located outside the United States and Canada which, at
 1320 the time the applicant was enrolled and at the time the
 1321 applicant graduated, maintained a standard of training
 1322 substantially equivalent to the standards of training of those
 1323 institutions in the United States which are accredited by an
 1324 institutional ~~a regional~~ accrediting body recognized by the
 1325 Commission on Recognition of Postsecondary Accreditation. Such

1326 foreign education and training must have been received in an
1327 institution or program of higher education officially recognized
1328 by the government of the country in which it is located as an
1329 institution or program to train students to practice as
1330 professional marriage and family therapists or psychotherapists.
1331 The applicant has the burden of establishing that the
1332 requirements of this provision have been met, and the board
1333 shall require documentation, such as an evaluation by a foreign
1334 equivalency determination service, as evidence that the
1335 applicant's graduate degree program and education were
1336 equivalent to an accredited program in this country. An
1337 applicant with a master's degree from a program that did not
1338 emphasize marriage and family therapy may complete the
1339 coursework requirement in a training institution fully
1340 accredited by the Commission on Accreditation for Marriage and
1341 Family Therapy Education recognized by the United States
1342 Department of Education.

1343 (c) ~~Has~~ Had at least 2 years of clinical experience during
1344 which 50 percent of the applicant's clients were receiving
1345 marriage and family therapy services, which must have been ~~be~~ at
1346 the post-master's level under the supervision of a licensed
1347 marriage and family therapist with at least 5 years of
1348 experience, or the equivalent, who is a qualified supervisor as
1349 determined by the board. An individual who intends to practice
1350 in Florida to satisfy the clinical experience requirements must

1351 register pursuant to s. 491.0045 before commencing practice. If
 1352 a graduate has a master's degree with a major emphasis in
 1353 marriage and family therapy or a closely related field which did
 1354 not include all of the coursework required by paragraph (b),
 1355 credit for the post-master's level clinical experience may not
 1356 commence until the applicant has completed a minimum of 10 of
 1357 the courses required by paragraph (b), as determined by the
 1358 board, and at least 6 semester hours or 9 quarter hours of the
 1359 course credits must have been completed in the area of marriage
 1360 and family systems, theories, or techniques. Within the 2 years
 1361 of required experience, the applicant must ~~shall~~ provide direct
 1362 individual, group, or family therapy and counseling to cases
 1363 including those involving unmarried dyads, married couples,
 1364 separating and divorcing couples, and family groups that include
 1365 children. A doctoral internship may be applied toward the
 1366 clinical experience requirement. A licensed mental health
 1367 professional must be on the premises when clinical services are
 1368 provided by a registered intern in a private practice setting.
 1369 When a registered intern is providing clinical services through
 1370 telehealth, a licensed mental health professional must be
 1371 accessible by telephone or other electronic means.

1372 (d) ~~Has~~ Passed a theory and practice examination
 1373 designated by board rule ~~provided by the department.~~

1374 (e) ~~Has~~ Demonstrated, in a manner designated by board
 1375 rule, knowledge of the laws and rules governing the practice of

1376 clinical social work, marriage and family therapy, and mental
1377 health counseling.

1378

1379 For the purposes of dual licensure, the department shall license
1380 as a marriage and family therapist any person who meets the
1381 requirements of s. 491.0057. Fees for dual licensure may not
1382 exceed those stated in this subsection.

1383 (4) MENTAL HEALTH COUNSELING.—Upon verification of
1384 documentation and payment of a fee not to exceed \$200, as set by
1385 board rule, ~~plus the actual per applicant cost of purchase of~~
1386 ~~the examination from the National Board for Certified Counselors~~
1387 ~~or its successor organization,~~ the department shall issue a
1388 license as a mental health counselor to an applicant who the
1389 board certifies has met all of the following criteria:

1390 (a) ~~Has~~ Submitted an application and paid the appropriate
1391 fee.

1392 (b)1. Obtained ~~Has~~ a minimum of an earned master's degree
1393 from a mental health counseling program accredited by the
1394 Council for the Accreditation of Counseling and Related
1395 Educational Programs which consists of at least 60 semester
1396 hours or 80 quarter hours of clinical and didactic instruction,
1397 including a course in human sexuality and a course in substance
1398 abuse. If the master's degree is earned from a program related
1399 to the practice of mental health counseling which is not
1400 accredited by the Council for the Accreditation of Counseling

1401 and Related Educational Programs, then the coursework and
1402 practicum, internship, or fieldwork must consist of at least 60
1403 semester hours or 80 quarter hours and meet all of the following
1404 requirements:

1405 a. Thirty-three semester hours or 44 quarter hours of
1406 graduate coursework, which must include a minimum of 3 semester
1407 hours or 4 quarter hours of graduate-level coursework in each of
1408 the following 11 content areas: counseling theories and
1409 practice; human growth and development; diagnosis and treatment
1410 of psychopathology; human sexuality; group theories and
1411 practice; individual evaluation and assessment; career and
1412 lifestyle assessment; research and program evaluation; social
1413 and cultural foundations; substance abuse; and legal, ethical,
1414 and professional standards issues in the practice of mental
1415 health counseling. Courses in research, thesis or dissertation
1416 work, practicums, internships, or fieldwork may not be applied
1417 toward this requirement.

1418 b. A minimum of 3 semester hours or 4 quarter hours of
1419 graduate-level coursework addressing diagnostic processes,
1420 including differential diagnosis and the use of the current
1421 diagnostic tools, such as the current edition of the American
1422 Psychiatric Association's Diagnostic and Statistical Manual of
1423 Mental Disorders. The graduate program must have emphasized the
1424 common core curricular experience.

1425 c. The equivalent, as determined by the board, of at least

1426 700 hours of university-sponsored supervised clinical practicum,
1427 internship, or field experience that includes at least 280 hours
1428 of direct client services, as required in the accrediting
1429 standards of the Council for Accreditation of Counseling and
1430 Related Educational Programs for mental health counseling
1431 programs. This experience may not be used to satisfy the post-
1432 master's clinical experience requirement.

1433 2. ~~Has~~ Provided additional documentation if a course title
1434 that appears on the applicant's transcript does not clearly
1435 identify the content of the coursework. The documentation must
1436 include, but is not limited to, a syllabus or catalog
1437 description published for the course.

1438
1439 Education and training in mental health counseling must have
1440 been received in an institution of higher education that, at the
1441 time the applicant graduated, was fully accredited by an
1442 institutional ~~a regional~~ accrediting body recognized by the
1443 Council for Higher Education Accreditation or its successor
1444 organization or publicly recognized as a member in good standing
1445 with the Association of Universities and Colleges of Canada, or
1446 an institution of higher education located outside the United
1447 States and Canada which, at the time the applicant was enrolled
1448 and at the time the applicant graduated, maintained a standard
1449 of training substantially equivalent to the standards of
1450 training of those institutions in the United States which are

1451 accredited by an institutional ~~a regional~~ accrediting body
1452 recognized by the Council for Higher Education Accreditation or
1453 its successor organization. Such foreign education and training
1454 must have been received in an institution or program of higher
1455 education officially recognized by the government of the country
1456 in which it is located as an institution or program to train
1457 students to practice as mental health counselors. The applicant
1458 has the burden of establishing that the requirements of this
1459 provision have been met, and the board shall require
1460 documentation, such as an evaluation by a foreign equivalency
1461 determination service, as evidence that the applicant's graduate
1462 degree program and education were equivalent to an accredited
1463 program in this country. Beginning July 1, 2025, an applicant
1464 must have a master's degree from a program that is accredited by
1465 the Council for Accreditation of Counseling and Related
1466 Educational Programs which consists of at least 60 semester
1467 hours or 80 quarter hours to apply for licensure under this
1468 paragraph.

1469 (c) ~~Has~~ Had at least 2 years of clinical experience in
1470 mental health counseling, which must be at the post-master's
1471 level under the supervision of a licensed mental health
1472 counselor or the equivalent who is a qualified supervisor as
1473 determined by the board. An individual who intends to practice
1474 in Florida to satisfy the clinical experience requirements must
1475 register pursuant to s. 491.0045 before commencing practice. If

1476 a graduate has a master's degree with a major related to the
1477 practice of mental health counseling which did not include all
1478 the coursework required under sub-subparagraphs (b)1.a. and b.,
1479 credit for the post-master's level clinical experience may not
1480 commence until the applicant has completed a minimum of seven of
1481 the courses required under sub-subparagraphs (b)1.a. and b., as
1482 determined by the board, one of which must be a course in
1483 psychopathology or abnormal psychology. A doctoral internship
1484 may be applied toward the clinical experience requirement. A
1485 licensed mental health professional must be on the premises when
1486 clinical services are provided by a registered intern in a
1487 private practice setting. When a registered intern is providing
1488 clinical services through telehealth, a licensed mental health
1489 professional must be accessible by telephone or other electronic
1490 means.

1491 (d) ~~Has~~ Passed a theory and practice examination
1492 designated by department rule ~~provided by the department for~~
1493 ~~this purpose.~~

1494 (e) ~~Has~~ Demonstrated, in a manner designated by board
1495 rule, knowledge of the laws and rules governing the practice of
1496 clinical social work, marriage and family therapy, and mental
1497 health counseling.

1498 Section 20. This act shall take effect July 1, 2021.