



535476

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 1/AD/RM	.	Floor: CA
04/29/2021 12:12 PM	.	04/29/2021 09:08 PM
	.	

Senator Rodriguez moved the following:

1 **Senate Amendment to House Amendment (527309) (with title**
2 **amendment)**

3
4 Delete lines 483 - 1483

5 and insert:

6 Section 6. Subsections (3) and (4) of section 401.465,
7 Florida Statutes, are renumbered as subsections (4) and (5),
8 respectively, paragraphs (d) and (j) of subsection (2) of that
9 section are amended, paragraph (d) is added to subsection (1),
10 and a new subsection (3) is added to that section, to read:

11 401.465 911 public safety telecommunicator certification.-



535476

12 (1) DEFINITIONS.—As used in this section, the term:
13 (d) “Telecommunicator cardiopulmonary resuscitation
14 training” means specific training, including continuous
15 education, that is evidence based and contains nationally
16 accepted guidelines for high-quality telecommunicator
17 cardiopulmonary resuscitation with the recognition of out-of-
18 hospital cardiac arrest over the telephone and the delivery of
19 telephonic instructions for treating cardiac arrest and
20 performing compression-only cardiopulmonary resuscitation.

21 (2) PERSONNEL; STANDARDS AND CERTIFICATION.—
22 (d) The department shall determine whether the applicant
23 meets the requirements specified in this section and in rules of
24 the department and shall issue a certificate to any person who
25 meets such requirements. Such requirements must include the
26 following:

- 27 1. Completion of an appropriate 911 public safety
28 telecommunication training program;
- 29 2. Certification under oath that the applicant is not
30 addicted to alcohol or any controlled substance;
- 31 3. Certification under oath that the applicant is free from
32 any physical or mental defect or disease that might impair the
33 applicant’s ability to perform his or her duties;
- 34 4. Submission of the application fee prescribed in
35 subsection (4) ~~(3)~~;
- 36 5. Submission of a completed application to the department
37 which indicates compliance with subparagraphs 1., 2., and 3.;
- 38 and
- 39 6. Effective October 1, 2012, passage of an examination
40 approved by the department which measures the applicant’s



535476

41 competency and proficiency in the subject material of the public
42 safety telecommunication training program.

43 (j)1. The requirement for certification as a 911 public
44 safety telecommunicator is waived for a person employed as a
45 sworn state-certified law enforcement officer, provided the
46 officer:

47 a. Is selected by his or her chief executive to perform as
48 a 911 public safety telecommunicator;

49 b. Performs as a 911 public safety telecommunicator on an
50 occasional or limited basis; and

51 c. Passes the department-approved examination that measures
52 the competency and proficiency of an applicant in the subject
53 material comprising the public safety telecommunication program.

54 2. A sworn state-certified law enforcement officer who
55 fails an examination taken under subparagraph 1. must take a
56 department-approved public safety telecommunication training
57 program prior to retaking the examination.

58 3. The testing required under this paragraph is exempt from
59 the examination fee required under subsection (4) ~~(3)~~.

60 (3) TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION
61 TRAINING.—In addition to the certification and recertification
62 requirements contained in this section, 911 public safety
63 telecommunicators who take telephone calls and provide dispatch
64 functions for emergency medical conditions must complete
65 telecommunicator cardiopulmonary resuscitation training every 2
66 years.

67 Section 7. Paragraph (h) is added to subsection (1) of
68 section 408.033, Florida Statutes, to read:

69 408.033 Local and state health planning.—



535476

70 (1) LOCAL HEALTH COUNCILS.—

71 (h) For the purpose of performing their duties under this
72 section, local health councils may collect utilization data from
73 each hospital licensed under chapter 395 which is located within
74 their respective local health council districts.

75 Section 8. Paragraph (c) of subsection (2) of section
76 456.47, Florida Statutes, is amended to read:

77 456.47 Use of telehealth to provide services.—

78 (2) PRACTICE STANDARDS.—

79 (c) A telehealth provider may not use telehealth to
80 prescribe a controlled substance listed in Schedule II of s.
81 893.03 unless the controlled substance is prescribed for the
82 following:

- 83 1. The treatment of a psychiatric disorder;
- 84 2. Inpatient treatment at a hospital licensed under chapter
85 395;
- 86 3. The treatment of a patient receiving hospice services as
87 defined in s. 400.601; or
- 88 4. The treatment of a resident of a nursing home facility
89 as defined in s. 400.021.

90 Section 9. Subsection (1) of section 460.406, Florida
91 Statutes, is amended to read:

92 460.406 Licensure by examination.—

93 (1) Any person desiring to be licensed as a chiropractic
94 physician must apply to the department to take the licensure
95 examination. There shall be an application fee set by the board
96 not to exceed \$100 which shall be nonrefundable. There shall
97 also be an examination fee not to exceed \$500 plus the actual
98 per applicant cost to the department for purchase of portions of



535476

99 the examination from the National Board of Chiropractic
100 Examiners or a similar national organization, which may be
101 refundable if the applicant is found ineligible to take the
102 examination. The department shall examine each applicant who the
103 board certifies has met all of the following criteria:

104 (a) Completed the application form and remitted the
105 appropriate fee.

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

108 (c) Submitted proof satisfactory to the department that he
109 or she is a graduate of a chiropractic college which is
110 accredited by or has status with the Council on Chiropractic
111 Education or its predecessor agency. However, any applicant who
112 is a graduate of a chiropractic college that was initially
113 accredited by the Council on Chiropractic Education in 1995, who
114 graduated from such college within the 4 years immediately
115 preceding such accreditation, and who is otherwise qualified is
116 ~~shall be~~ eligible to take the examination. An ~~No~~ application for
117 a license to practice chiropractic medicine may not ~~shall~~ be
118 denied solely because the applicant is a graduate of a
119 chiropractic college that subscribes to one philosophy of
120 chiropractic medicine as distinguished from another.

121 (d)1. For an applicant who has matriculated in a
122 chiropractic college before ~~prior to~~ July 2, 1990, completed at
123 least 2 years of residence college work, consisting of a minimum
124 of one-half the work acceptable for a bachelor's degree granted
125 on the basis of a 4-year period of study, in a college or
126 university accredited by an institutional accrediting agency
127 recognized and approved by the United States Department of



535476

128 Education. However, before ~~prior to~~ being certified by the board
129 to sit for the examination, each applicant who has matriculated
130 in a chiropractic college after July 1, 1990, must ~~shall~~ have
131 been granted a bachelor's degree, based upon 4 academic years of
132 study, by a college or university accredited by an institutional
133 ~~a regional~~ accrediting agency which is a member of the
134 Commission on Recognition of Postsecondary Accreditation.

135 2. Effective July 1, 2000, completed, before ~~prior to~~
136 matriculation in a chiropractic college, at least 3 years of
137 residence college work, consisting of a minimum of 90 semester
138 hours leading to a bachelor's degree in a liberal arts college
139 or university accredited by an institutional accrediting agency
140 recognized and approved by the United States Department of
141 Education. However, before ~~prior to~~ being certified by the board
142 to sit for the examination, each applicant who has matriculated
143 in a chiropractic college after July 1, 2000, must ~~shall~~ have
144 been granted a bachelor's degree from an institution holding
145 accreditation for that degree from an institutional ~~a regional~~
146 accrediting agency which is recognized by the United States
147 Department of Education. The applicant's chiropractic degree
148 must consist of credits earned in the chiropractic program and
149 may not include academic credit for courses from the bachelor's
150 degree.

151 (e) Successfully completed the National Board of
152 Chiropractic Examiners certification examination in parts I, II,
153 III, and IV, and the physiotherapy examination of the National
154 Board of Chiropractic Examiners, with a score approved by the
155 board.

156 (f) Submitted to the department a set of fingerprints on a



535476

157 form and under procedures specified by the department, along
158 with payment in an amount equal to the costs incurred by the
159 Department of Health for the criminal background check of the
160 applicant.

161
162 The board may require an applicant who graduated from an
163 institution accredited by the Council on Chiropractic Education
164 more than 10 years before the date of application to the board
165 to take the National Board of Chiropractic Examiners Special
166 Purposes Examination for Chiropractic, or its equivalent, as
167 determined by the board. The board shall establish by rule a
168 passing score.

169 Section 10. Subsection (4) of section 464.008, Florida
170 Statutes, is amended to read:

171 464.008 Licensure by examination.—

172 ~~(4) If an applicant who graduates from an approved program~~
173 ~~does not take the licensure examination within 6 months after~~
174 ~~graduation, he or she must enroll in and successfully complete a~~
175 ~~board approved licensure examination preparatory course. The~~
176 ~~applicant is responsible for all costs associated with the~~
177 ~~course and may not use state or federal financial aid for such~~
178 ~~costs. The board shall by rule establish guidelines for~~
179 ~~licensure examination preparatory courses.~~

180 Section 11. Paragraph (e) of subsection (1) of section
181 464.018, Florida Statutes, is amended to read:

182 464.018 Disciplinary actions.—

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



535476

186 (e) Having been found guilty of, ~~regardless of~~
187 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,
188 regardless of adjudication, any offense prohibited under s.
189 435.04 or similar statute of another jurisdiction; or having
190 committed an act which constitutes domestic violence as defined
191 in s. 741.28.

192 Section 12. Section 465.1893, Florida Statutes, is amended
193 to read:

194 465.1893 Administration of long-acting antipsychotic
195 medication by injection.—

196 (1) (a) A pharmacist, at the direction of a physician
197 licensed under chapter 458 or chapter 459, may administer a
198 long-acting antipsychotic medication or an extended-release
199 medication indicated to treat opioid use disorder, alcohol use
200 disorder, or other substance use disorders or dependencies,
201 including, but not limited to, buprenorphine, naltrexone, or
202 other medications that have been approved by the United States
203 Food and Drug Administration by injection to a patient if the
204 pharmacist:

205 1. Is authorized by and acting within the framework of an
206 established protocol with the prescribing physician.

207 2. Practices at a facility that accommodates privacy for
208 nondeltoid injections and conforms with state rules and
209 regulations regarding the appropriate and safe disposal of
210 medication and medical waste.

211 3. Has completed the course required under subsection (2).

212 (b) A separate prescription from a physician is required
213 for each injection administered by a pharmacist under this
214 subsection.



535476

215 (2) (a) A pharmacist seeking to administer a ~~long-acting~~
216 ~~antipsychotic~~ medication described in paragraph (1) (a) ~~by~~
217 ~~injection~~ must complete an 8-hour continuing education course
218 offered by:

219 1. A statewide professional association of physicians in
220 this state accredited to provide educational activities
221 designated for the American Medical Association Physician's
222 Recognition Award (AMA PRA) Category 1 Credit or the American
223 Osteopathic Association (AOA) Category 1-A continuing medical
224 education (CME) credit; and

225 2. A statewide association of pharmacists.

226 (b) The course may be offered in a distance learning format
227 and must be included in the 30 hours of continuing professional
228 pharmaceutical education required under s. 465.009(1). The
229 course shall have a curriculum of instruction that concerns the
230 safe and effective administration of behavioral health,
231 addiction, and antipsychotic medications by injection,
232 including, but not limited to, potential allergic reactions to
233 such medications.

234 Section 13. Paragraph (h) of subsection (1) of section
235 466.028, Florida Statutes, is amended to read:

236 466.028 Grounds for disciplinary action; action by the
237 board.—

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

240 (h) Being employed by any corporation, organization, group,
241 or person other than a dentist, a hospital, or a professional
242 corporation or limited liability company composed of dentists to
243 practice dentistry.



535476

244 Section 14. Section 466.0285, Florida Statutes, is amended
245 to read:

246 466.0285 Proprietorship by nondentists.—

247 (1) A person or an entity ~~No person~~ other than a dentist
248 licensed under pursuant to this chapter, a specialty-licensed
249 children's hospital licensed under chapter 395 as of January 1,
250 2021, or nor any entity other than a professional corporation or
251 limited liability company composed of dentists, may not:

252 (a) Employ a dentist or dental hygienist in the operation
253 of a dental office.

254 (b) Control the use of any dental equipment or material
255 while such equipment or material is being used for the provision
256 of dental services, whether those services are provided by a
257 dentist, a dental hygienist, or a dental assistant.

258 (c) Direct, control, or interfere with a dentist's clinical
259 judgment. To direct, control, or interfere with a dentist's
260 clinical judgment does not mean ~~may not be interpreted to mean~~
261 dental services contractually excluded, the application of
262 alternative benefits that may be appropriate given the dentist's
263 prescribed course of treatment, or the application of
264 contractual provisions and scope of coverage determinations in
265 comparison with a dentist's prescribed treatment on behalf of a
266 covered person by an insurer, health maintenance organization,
267 or a prepaid limited health service organization.

268
269 Any lease agreement, rental agreement, or other arrangement
270 between a nondentist and a dentist whereby the nondentist
271 provides the dentist with dental equipment or dental materials
272 must ~~shall~~ contain a provision whereby the dentist expressly



535476

273 maintains complete care, custody, and control of the equipment
274 or practice.

275 (2) The purpose of this section is to prevent a nondentist
276 from influencing or otherwise interfering with the exercise of a
277 dentist's independent professional judgment. In addition to the
278 acts specified in subsection (1), a ~~no~~ person or an entity that
279 ~~who~~ is not a dentist licensed under pursuant to this chapter, a
280 specialty-licensed children's hospital licensed under chapter
281 395 as of January 1, 2021, or ~~nor any entity that is not~~ a
282 professional corporation or limited liability company composed
283 of dentists ~~may not shall~~ enter into a relationship with a
284 licensee pursuant to which such unlicensed person or such entity
285 exercises control over any of the following:

286 (a) The selection of a course of treatment for a patient,
287 the procedures or materials to be used as part of such course of
288 treatment, and the manner in which such course of treatment is
289 carried out by the licensee. ~~†~~

290 (b) The patient records of a dentist. ~~†~~

291 (c) Policies and decisions relating to pricing, credit,
292 refunds, warranties, and advertising. ~~† and~~

293 (d) Decisions relating to office personnel and hours of
294 practice.

295 (3) Any person who violates this section commits a felony
296 of the third degree, punishable as provided in s. 775.082, s.
297 775.083, or s. 775.084.

298 (4) Any contract or arrangement entered into or undertaken
299 in violation of this section is shall be void as contrary to
300 public policy. This section applies to contracts entered into or
301 renewed on or after October 1, 1997.



535476

302 Section 15. Subsections (13) and (14) of section 467.003,
303 Florida Statutes, are renumbered as subsections (14) and (15),
304 respectively, subsections (1) and (12) are amended, and a new
305 subsection (13) is added to that section, to read:

306 467.003 Definitions.—As used in this chapter, unless the
307 context otherwise requires:

308 (1) “Approved midwifery program” means ~~a midwifery school~~
309 ~~or~~ a midwifery training program that ~~which~~ is approved by the
310 department pursuant to s. 467.205.

311 (12) “Preceptor” means a physician licensed under chapter
312 458 or chapter 459, a ~~licensed~~ midwife licensed under this
313 chapter, or a certified nurse midwife licensed under chapter
314 464, who has a minimum of 3 years’ professional experience, and
315 who directs, teaches, supervises, and evaluates the learning
316 experiences of a the student midwife as part of an approved
317 midwifery program.

318 (13) “Prelicensure course” means a course of study, offered
319 by an approved midwifery program and approved by the department,
320 which an applicant for licensure must complete before a license
321 may be issued and which provides instruction in the laws and
322 rules of this state and demonstrates the student’s competency to
323 practice midwifery under this chapter.

324 Section 16. Section 467.009, Florida Statutes, is amended
325 to read:

326 467.009 Approved midwifery programs; education and training
327 requirements.—

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



535476

331 (a) ~~The standards shall encompass~~ Clinical and classroom
332 instruction in all aspects of prenatal, intrapartal, and
333 postpartal care, including all of the following:

- 334 1. Obstetrics.~~†~~
335 2. Neonatal pediatrics.~~†~~
336 3. Basic sciences.~~†~~
337 4. Female reproductive anatomy and physiology.~~†~~
338 5. Behavioral sciences.~~†~~
339 6. Childbirth education.~~†~~
340 7. Community care.~~†~~
341 8. Epidemiology.~~†~~
342 9. Genetics.~~†~~
343 10. Embryology.~~†~~
344 11. Neonatology.~~†~~
345 12. Applied pharmacology.~~†~~
346 13. The medical and legal aspects of midwifery.~~†~~
347 14. Gynecology and women's health.~~†~~
348 15. Family planning.~~†~~
349 16. Nutrition during pregnancy and lactation.~~†~~
350 17. Breastfeeding.~~†~~ and
351 18. Basic nursing skills; ~~and any other instruction~~
352 ~~determined by the department and council to be necessary.~~

353 (b) ~~The standards shall incorporate the~~ Core competencies
354 incorporating those established by the American College of Nurse
355 Midwives and the Midwives Alliance of North America, including
356 knowledge, skills, and professional behavior in all of the
357 following areas:

- 358 1. Primary management, collaborative management, referral,
359 and medical consultation.~~†~~



535476

360 2. Antepartal, intrapartal, postpartal, and neonatal care.~~†~~

361 3. Family planning and gynecological care.~~†~~

362 4. Common complications.~~†~~ and

363 5. Professional responsibilities.

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

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

372 (3) An approved midwifery program may reduce ~~If the~~
373 ~~applicant is a registered nurse or a licensed practical nurse or~~
374 ~~has previous nursing or midwifery education,~~ the required period
375 of training ~~may be reduced~~ to the extent of the student's
376 applicant's ~~qualifications as a registered nurse or licensed~~
377 practical nurse or based on prior completion of equivalent
378 nursing or midwifery education, as determined ~~under rules~~
379 ~~adopted by the department~~ rule. ~~In no case shall the training be~~
380 ~~reduced to a period of less than 2 years.~~

381 (4)~~(3)~~ An approved midwifery program may accept students
382 who ~~To be accepted into an approved midwifery program, an~~
383 ~~applicant shall~~ have completed all of the following:

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

385 (b) ~~Taken~~ Three college-level credits each of math and
386 English or demonstrated competencies in communication and
387 computation.

388 (5)~~(4)~~ As part of its course of study, an approved



535476

389 midwifery program must require clinical training that includes
390 all of the following:

391 (a) A student midwife, during training, shall undertake,
392 under the supervision of a preceptor, The care of 50 women in
393 each of the prenatal, intrapartal, and postpartal periods under
394 the supervision of a preceptor., but The same women need not be
395 seen through all three periods.

396 (b) (5) Observation of The student midwife shall observe an
397 additional 25 women in the intrapartal period before qualifying
398 for a license.

399 (6) Clinical The training required under this section must
400 include all of the following:

401 (a) shall include Training in either hospitals, or
402 alternative birth settings, or both.

403 (b) A requirement that students demonstrate competency in
404 the assessment of and differentiation, with particular emphasis
405 on learning the ability to differentiate between low-risk
406 pregnancies and high-risk pregnancies.

407 (7) A hospital or birthing center receiving public funds
408 shall be required to provide student midwives access to observe
409 labor, delivery, and postpartal procedures, provided the woman
410 in labor has given informed consent. The Department of Health
411 shall assist in facilitating access to hospital training for
412 approved midwifery programs.

413 (8) (7) The Department of Education shall adopt curricular
414 frameworks for midwifery programs conducted within public
415 educational institutions under pursuant to this section.

416 (8) Nonpublic educational institutions that conduct
417 approved midwifery programs shall be accredited by a member of



535476

418 ~~the Commission on Recognition of Postsecondary Accreditation and~~
419 ~~shall be licensed by the Commission for Independent Education.~~

420 Section 17. Section 467.011, Florida Statutes, is amended
421 to read:

422 467.011 Licensed midwives; qualifications; examination
423 ~~Licensure by examination.-~~

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

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

430 ~~(3) The department shall issue a license to practice~~
431 ~~midwifery to an applicant who meets all of the following~~
432 ~~criteria:~~

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

435 (a) An approved midwifery program.

436 (b) A medical or midwifery program offered in another
437 state, jurisdiction, territory, or country whose graduation
438 requirements were equivalent to or exceeded those required by s.
439 467.009 and the rules adopted thereunder at the time of
440 graduation.

441 (2) Demonstrates that he or she has and successfully
442 completed a prelicensure course offered by an approved midwifery
443 program. Students graduating from an approved midwifery program
444 may meet this requirement by showing that the content
445 requirements for the prelicensure course were covered as part of
446 their course of study.



535476

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

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

452 Section 18. Section 467.0125, Florida Statutes, is amended
453 to read:

454 467.0125 Licensed midwives; qualifications; Licensure by
455 endorsement; temporary certificates.-

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

460 ~~(a)1. Holds a valid certificate or diploma from a foreign~~
461 ~~institution of medicine or midwifery or from a midwifery program~~
462 ~~offered in another state, bearing the seal of the institution or~~
463 ~~otherwise authenticated, which renders the individual eligible~~
464 ~~to practice midwifery in the country or state in which it was~~
465 ~~issued, provided the requirements therefor are deemed by the~~
466 ~~department to be substantially equivalent to, or to exceed,~~
467 ~~those established under this chapter and rules adopted under~~
468 ~~this chapter, and submits therewith a certified translation of~~
469 ~~the foreign certificate or diploma; or~~

470 2. Holds an active, unencumbered a valid certificate or
471 license to practice midwifery in another state, jurisdiction, or
472 territory issued by that state, provided the licensing
473 requirements of that state, jurisdiction, or territory at the
474 time the license was issued were therefor are deemed by the
475 ~~department to be~~ substantially equivalent to, or exceeded to



535476

476 ~~exceed,~~ those established under this chapter and the rules
477 adopted thereunder ~~under this chapter.~~

478 (b) Has successfully completed a ~~4-month~~ prelicensure
479 course conducted by an approved midwifery program ~~and has~~
480 ~~submitted documentation to the department of successful~~
481 ~~completion.~~

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

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

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

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

498 1. A county health department;

499 2. A correctional facility;

500 3. A Department of Veterans' Affairs clinic;

501 4. A community health center funded by s. 329, s. 330, or
502 s. 340 of the United States Public Health Service Act; or

503 5. Any other agency or institution that is approved by the
504 State Surgeon General and provides health care to meet the needs



535476

505 of an underserved population in this state; and ~~those specific~~
506 ~~areas,~~

507 (c) Will practice only under the supervision auspices of a
508 physician licensed under ~~pursuant to~~ chapter 458 or chapter 459,
509 a certified nurse midwife licensed under ~~pursuant to~~ part I of
510 chapter 464, or a midwife licensed under this chapter, who has a
511 minimum of 3 years' professional experience.

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

514 (a) A requirement that a temporary certificateholder
515 practice only in areas of critical need. The State Surgeon
516 General shall determine the areas of critical need, which ~~such~~
517 ~~areas shall~~ include, but are not be limited to, health
518 professional shortage areas designated by the United States
519 Department of Health and Human Services.

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

523 1. Report a new practice area of critical need to the
524 department; or

525 2. Voluntarily relinquish the temporary certificate.

526 (4) The department shall review a temporary
527 certificateholder's practice at least annually to determine
528 whether the certificateholder is meeting the requirements of
529 subsections (2) and (3) and the rules adopted thereunder. If the
530 department determines that a certificateholder is not meeting
531 these requirements, the department must revoke the temporary
532 certificate.

533 (5) A temporary certificate issued under this section is



535476

534 ~~shall be valid only as long as an area for which it is issued~~
535 ~~remains an area of critical need, but no longer than 2 years,~~
536 ~~and is shall not be renewable.~~

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

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

545 ~~(e) The department shall review the practice under a~~
546 ~~temporary certificate at least annually to ascertain that the~~
547 ~~minimum requirements of the midwifery rules promulgated under~~
548 ~~this chapter are being met. If it is determined that the minimum~~
549 ~~requirements are not being met, the department shall immediately~~
550 ~~revoke the temporary certificate.~~

551 ~~(f) The fee for a temporary certificate shall not exceed~~
552 ~~\$50 and shall be in addition to the fee required for licensure.~~

553 Section 19. Section 467.205, Florida Statutes, is amended
554 to read:

555 467.205 Approval of midwifery programs.—

556 (1) The department shall approve an accredited or state-
557 licensed public or private institution seeking to provide
558 midwifery education and training as an approved midwifery
559 program in this state if the institution meets all of the
560 following criteria:

561 (a) Submits an application for approval on a form approved
562 by the department.



535476

563 (b) Demonstrates to the department's satisfaction that the
564 proposed midwifery program complies with s. 467.009 and the
565 rules adopted thereunder.

566 (c) For a private institution, demonstrates its
567 accreditation by a member of the Council for Higher Education
568 Accreditation or an accrediting agency approved by the United
569 States Department of Education and its licensing or provisional
570 licensing by the Commission for Independent Education An
571 organization desiring to conduct an approved program for the
572 education of midwives shall apply to the department and submit
573 such evidence as may be required to show that it complies with
574 s. 467.009 and with the rules of the department. Any accredited
575 or state-licensed institution of higher learning, public or
576 private, may provide midwifery education and training.

577 ~~(2) The department shall adopt rules regarding educational~~
578 ~~objectives, faculty qualifications, curriculum guidelines,~~
579 ~~administrative procedures, and other training requirements as~~
580 ~~are necessary to ensure that approved programs graduate midwives~~
581 ~~competent to practice under this chapter.~~

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

586 (2)(4) The department shall, at least once every 3 years,
587 certify whether each approved midwifery program is currently
588 compliant, and has maintained compliance, ~~complies~~ with the
589 requirements of standards developed under s. 467.009 and the
590 rules adopted thereunder.

591 ~~(3)(5)~~ If the department finds that an approved midwifery



535476

592 program is not in compliance with the requirements of s. 467.009
593 or the rules adopted thereunder, or has lost its accreditation
594 status, the department must provide its finding to the program
595 in writing and no longer meets the required standards, it may
596 place the program on probationary status for a specified period
597 of time, which may not exceed 3 years until such time as the
598 standards are restored.

599 (4) If a program on probationary status does not come into
600 compliance with the requirements of s. 467.009 or the rules
601 adopted thereunder, or regain its accreditation status, as
602 applicable, within the period specified by the department fails
603 to correct these conditions within a specified period of time,
604 the department may rescind the program's approval.

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

607 (6) The department may grant provisional approval of a new
608 program seeking accreditation status, for a period not to exceed
609 5 years, provided that all other requirements of this section
610 are met.

611 (7) The department may rescind provisional approval of a
612 program that fails to the meet the requirements of s. 467.009,
613 this section, or the rules adopted thereunder, in accordance
614 with procedures provided in subsections (3) and (4) may be
615 granted pending the licensure results of the first graduating
616 class.

617 Section 20. Subsections (2), (3), and (4) and paragraphs
618 (a) and (b) of subsection (5) of section 468.803, Florida
619 Statutes, are amended to read:

620 468.803 License, registration, and examination



535476

621 requirements.-

622 (2) An applicant for registration, examination, or
623 licensure must apply to the department on a form prescribed by
624 the board for consideration of board approval. Each initial
625 applicant shall submit ~~a set of~~ fingerprints to the department
626 ~~on a form and~~ under procedures specified by the department,
627 ~~along with payment in an amount equal to the costs incurred by~~
628 ~~the department~~ for state and national criminal history checks of
629 the applicant. ~~The department shall submit the fingerprints~~
630 ~~provided by an applicant to the Department of Law Enforcement~~
631 ~~for a statewide criminal history check, and the Department of~~
632 ~~Law Enforcement shall forward the fingerprints to the Federal~~
633 ~~Bureau of Investigation for a national criminal history check of~~
634 ~~the applicant.~~ The board shall screen the results to determine
635 if an applicant meets licensure requirements. The board shall
636 consider for examination, registration, or licensure each
637 applicant who the board verifies:

638 (a) Has submitted the completed application and completed
639 the fingerprinting requirements ~~fingerprint forms~~ and has paid
640 the applicable application fee, not to exceed \$500, ~~and the cost~~
641 ~~of the state and national criminal history checks.~~ The
642 application fee is ~~and cost of the criminal history checks shall~~
643 ~~be~~ nonrefundable;

644 (b) Is of good moral character;

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

646 (d) Has completed the appropriate educational preparation.

647 (3) A person seeking to attain the orthotics or prosthetics
648 experience required for licensure in this state must be approved
649 by the board and registered as a resident by the department.



535476

650 Although a registration may be held in both disciplines, for
651 independent registrations the board may not approve a second
652 registration until at least 1 year after the issuance of the
653 first registration. Notwithstanding subsection (2), a person who
654 has been approved by the board and registered by the department
655 in one discipline may apply for registration in the second
656 discipline without an additional state or national criminal
657 history check during the period in which the first registration
658 is valid. Each independent registration or dual registration is
659 valid for 2 years after the date of issuance unless otherwise
660 revoked by the department upon recommendation of the board. The
661 board shall set a registration fee not to exceed \$500 to be paid
662 by the applicant. A registration may be renewed once by the
663 department upon recommendation of the board for a period no
664 longer than 1 year, as such renewal is defined by the board by
665 rule. The renewal fee may not exceed one-half the current
666 registration fee. To be considered by the board for approval of
667 registration as a resident, the applicant must have one of the
668 following:

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

673 (b) A minimum of a bachelor's degree from an
674 institutionally ~~a regionally~~ accredited college or university
675 and a certificate in orthotics or prosthetics from a program
676 recognized by the Commission on Accreditation of Allied Health
677 Education Programs, or its equivalent, as determined by the
678 board.



535476

679 (c) A minimum of a bachelor's degree from an
680 institutionally ~~a regionally~~ accredited college or university
681 and a dual certificate in both orthotics and prosthetics from
682 programs recognized by the Commission on Accreditation of Allied
683 Health Education Programs, or its equivalent, as determined by
684 the board.

685 (4) The department may develop and administer a state
686 examination for an orthotist or a prosthetist license, or the
687 board may approve the existing examination of a national
688 standards organization. The examination must be predicated on a
689 minimum of a baccalaureate-level education and formalized
690 specialized training in the appropriate field. Each examination
691 must demonstrate a minimum level of competence in basic
692 scientific knowledge, written problem solving, and practical
693 clinical patient management. The board shall require an
694 examination fee not to exceed the actual cost to the board in
695 developing, administering, and approving the examination, which
696 fee must be paid by the applicant. To be considered by the board
697 for examination, the applicant must have:

698 (a) For an examination in orthotics:

699 1. A Bachelor of Science or higher-level postgraduate
700 degree in orthotics and prosthetics from an institutionally ~~a~~
701 ~~regionally~~ accredited college or university recognized by the
702 Commission on Accreditation of Allied Health Education Programs
703 or, at a minimum, a bachelor's degree from an institutionally ~~a~~
704 ~~regionally~~ accredited college or university and a certificate in
705 orthotics from a program recognized by the Commission on
706 Accreditation of Allied Health Education Programs, or its
707 equivalent, as determined by the board; and



535476

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

711 (b) For an examination in prosthetics:

712 1. A Bachelor of Science or higher-level postgraduate
713 degree in orthotics and prosthetics from an institutionally a
714 ~~regionally~~ accredited college or university recognized by the
715 Commission on Accreditation of Allied Health Education Programs
716 or, at a minimum, a bachelor's degree from an institutionally a
717 ~~regionally~~ accredited college or university and a certificate in
718 prosthetics from a program recognized by the Commission on
719 Accreditation of Allied Health Education Programs, or its
720 equivalent, as determined by the board; and

721 2. An approved prosthetics internship of 1 year of
722 qualified experience, as determined by the board, or a
723 prosthetic residency or dual residency program recognized by the
724 board.

725 (5) In addition to the requirements in subsection (2), to
726 be licensed as:

727 (a) An orthotist, the applicant must pay a license fee not
728 to exceed \$500 and must have:

729 1. A Bachelor of Science or higher-level postgraduate
730 degree in Orthotics and Prosthetics from an institutionally a
731 ~~regionally~~ accredited college or university recognized by the
732 Commission on Accreditation of Allied Health Education Programs,
733 or a bachelor's degree from an institutionally accredited
734 college or university and ~~with~~ a certificate in orthotics from a
735 program recognized by the Commission on Accreditation of Allied
736 Health Education Programs, or its equivalent, as determined by



535476

737 the board;

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

741 3. Completed the mandatory courses; and

742 4. Passed the state orthotics examination or the board-
743 approved orthotics examination.

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

746 1. A Bachelor of Science or higher-level postgraduate
747 degree in Orthotics and Prosthetics from an institutionally a
748 ~~regionally~~ accredited college or university recognized by the
749 Commission on Accreditation of Allied Health Education Programs,
750 or a bachelor's degree from an institutionally accredited
751 college or university and with a certificate in prosthetics from
752 a program recognized by the Commission on Accreditation of
753 Allied Health Education Programs, or its equivalent, as
754 determined by the board;

755 2. An internship of 1 year of qualified experience, as
756 determined by the board, or a residency program recognized by
757 the board;

758 3. Completed the mandatory courses; and

759 4. Passed the state prosthetics examination or the board-
760 approved prosthetics examination.

761 Section 21. Subsection (7) is added to section 483.801,
762 Florida Statutes, to read:

763 483.801 Exemptions.—This part applies to all clinical
764 laboratories and clinical laboratory personnel within this
765 state, except:



535476

766 (7) A registered nurse licensed under chapter 464
767 performing alternate-site testing within a hospital or hospital-
768 based off-campus emergency department licensed under chapter
769 395.

770
771 ===== T I T L E A M E N D M E N T =====

772 And the title is amended as follows:

773 Delete lines 1917 - 2002

774 and insert:

775 medical services providers; amending s. 401.465, F.S.;

776 defining the term "telecommunicator cardiopulmonary

777 resuscitation training"; conforming cross-references;

778 requiring certain 911 public safety telecommunicators

779 to complete biennial telecommunicator cardiopulmonary

780 resuscitation training; amending s. 408.033, F.S.;

781 authorizing local health councils to collect

782 utilization data from licensed hospitals within their

783 respective local health council districts for a

784 specified purpose; amending s. 456.47, F.S.; revising

785 the prohibition on prescribing controlled substances

786 through the use of telehealth to include only

787 specified controlled substances; amending s. 460.406,

788 F.S.; revising provisions related to chiropractic

789 physician licensing; amending s. 464.008, F.S.;

790 deleting a requirement that certain nursing program

791 graduates complete a specified preparatory course;

792 amending s. 464.018, F.S.; revising grounds for

793 disciplinary action against licensed nurses; amending

794 s. 465.1893, F.S.; providing additional long-acting



535476

795 medications that pharmacists may administer under
796 certain circumstances; revising requirements for a
797 continuing education course such pharmacists must
798 complete; amending s. 466.028, F.S.; revising grounds
799 for disciplinary action by the Board of Dentistry;
800 amending s. 466.0285, F.S.; exempting certain
801 specialty hospitals from prohibitions relating to the
802 employment of dentists and dental hygienists and the
803 control of dental equipment and materials by
804 nondentists; exempting such hospitals from a
805 prohibition on nondentists entering into certain
806 agreements with dentists or dental hygienists; making
807 technical changes; amending s. 467.003, F.S.; revising
808 and defining terms; amending s. 467.009, F.S.;
809 revising provisions related to approved midwifery
810 programs; amending s. 467.011, F.S.; revising
811 provisions relating to licensure of midwives; amending
812 s. 467.0125, F.S.; revising provisions relating to
813 licensure by endorsement of midwives; revising
814 requirements for temporary certificates to practice
815 midwifery in this state; amending s. 467.205, F.S.;
816 revising provisions relating to approval, continued
817 monitoring, probationary status, provisional approval,
818 and approval rescission of midwifery programs;
819 amending s. 468.803, F.S.; revising provisions related
820 to orthotist and prosthetist registration,
821 examination, and licensing; amending s. 483.801, F.S.;
822 exempting certain