

By Senator Rodriguez

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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; amending s. 381.0064, F.S., as amended by s.
24 42 of chapter 2020-150,, Laws of Florida; conforming
25 provisions to changes made by the act; amending s.
26 381.0067, F.S.; conforming provisions to changes made
27 by the act; amending s. 381.0101, F.S., as amended by
28 s. 44 of chapter 2020-150, Laws of Florida; revising
29 the definition of the term "primary environmental

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30 health program"; revising certification requirements
31 for persons performing certain environmental health
32 and sanitary evaluations; conforming provisions to
33 changes made by the act; making technical changes;
34 amending s. 381.986, F.S.; authorizing the department
35 to select samples of marijuana from medical marijuana
36 treatment center facilities for certain testing;
37 authorizing the department to select samples of
38 marijuana delivery devices from dispensing facilities
39 to determine whether they are safe for use; requiring
40 medical marijuana treatment centers to recall
41 marijuana, instead of just edibles, under certain
42 circumstances; providing an exemption from criminal
43 provisions for department employees who acquire,
44 possess, test, transport, and lawfully dispose of
45 marijuana and marijuana delivery devices under certain
46 circumstances; amending s. 460.406, F.S.; revising
47 provisions related to chiropractic physician
48 licensing; amending s. 464.018, F.S.; revising grounds
49 for disciplinary action against licensed nurses;
50 amending s. 467.003, F.S.; revising and defining
51 terms; amending s. 467.009, F.S.; revising provisions
52 related to approved midwifery programs; amending s.
53 467.011, F.S.; revising provisions relating to
54 licensure of midwives; amending s. 467.0125, F.S.;
55 revising provisions relating to licensure by
56 endorsement of midwives; revising requirements for
57 temporary certificates to practice midwifery in this
58 state; amending s. 467.205, F.S.; revising provisions

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59 relating to approval, continued monitoring,
60 probationary status, provisional approval, and
61 approval rescission of midwifery programs; amending s.
62 468.803, F.S.; revising provisions related to
63 orthotist and prosthetist registration, examination,
64 and licensing; amending 483.824, F.S.; revising
65 educational requirements for clinical laboratory
66 directors; amending s. 490.003, F.S.; defining the
67 terms "doctoral degree from an American Psychological
68 Association accredited program" and "doctoral degree
69 in psychology"; amending ss. 490.005 and 490.0051,
70 F.S.; revising education requirements for psychologist
71 licensing and provisional licensing, respectively;
72 amending s. 491.005, F.S.; revising licensing
73 requirements for clinical social workers, marriage and
74 family therapists, and mental health counselors;
75 providing an effective date.

76

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

78

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

81 381.0045 Targeted outreach for pregnant women.—

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

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88 (3) The department shall:

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

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

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

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

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

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

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

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

115 Section 2. Subsection (1) of section 381.0061, Florida
116 Statutes, as amended by section 41 of chapter 2020-150, Laws of

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117 Florida, is amended to read:

118 381.0061 Administrative fines.—

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

128 Section 3. Section 381.00635, Florida Statutes, is created
129 to read:

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

139 Section 4. Subsection (1) of section 381.0064, Florida
140 Statutes, as amended by section 42 of chapter 2020-150, Laws of
141 Florida, is amended to read:

142 381.0064 Continuing education courses for persons
143 installing or servicing septic tanks.—

144 (1) The Department of Environmental Protection shall
145 establish a program for continuing education which meets the

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146 purposes of s. 489.554 ~~ss. 381.0101 and 489.554~~ regarding the
147 public health and environmental effects of onsite sewage
148 treatment and disposal systems and any other matters the
149 department determines desirable for the safe installation and
150 use of onsite sewage treatment and disposal systems. The
151 department may charge a fee to cover the cost of such program.

152 Section 5. Section 381.0067, Florida Statutes, is amended
153 to read:

154 381.0067 Corrective orders; ~~private and certain public~~
155 ~~water systems and~~ onsite sewage treatment and disposal systems.-
156 When the department or its agents, through investigation, find
157 that any ~~private water system, public water system not covered~~
158 ~~or included in the Florida Safe Drinking Water Act (part VI of~~
159 ~~chapter 403), or~~ onsite sewage treatment and disposal system
160 constitutes a nuisance or menace to the public health or
161 significantly degrades the groundwater or surface water, the
162 department or its agents may issue an order requiring the owner
163 to correct the improper condition. If the improper condition
164 relates to the drainfield of an onsite sewage treatment and
165 disposal system, the department or its agents may issue an order
166 requiring the owner to repair or replace the drainfield. If an
167 onsite sewage treatment and disposal system has failed, the
168 department or its agents shall issue an order requiring the
169 owner to replace the system. For purposes of this section, an
170 onsite sewage treatment and disposal system has failed if the
171 operation of the system constitutes a nuisance or menace to the
172 public health or significantly degrades the groundwater or
173 surface water and the system cannot be repaired.

174 Section 6. Paragraph (g) of subsection (1) of section

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175 381.0101, Florida Statutes, as amended by section 44 of chapter
176 2020-150, Laws of Florida, and subsections (2) and (4) of that
177 section are amended to read:

178 381.0101 Environmental health professionals.—

179 (1) DEFINITIONS.—As used in this section:

180 (g) "Primary environmental health program" means those
181 programs determined by the department to be essential for
182 providing basic environmental and sanitary protection to the
183 public. At a minimum, these programs shall include food
184 protection program work and onsite sewage treatment and disposal
185 system evaluations.

186 (2) CERTIFICATION REQUIRED.—A person may not perform
187 environmental health or sanitary evaluations in any primary
188 program area of environmental health without being certified by
189 the department as competent to perform such evaluations. This
190 section does not apply to:

191 ~~(a) persons performing inspections of public food service~~
192 ~~establishments licensed under chapter 509; or~~

193 ~~(b) Persons performing site evaluations in order to~~
194 ~~determine proper placement and installation of onsite wastewater~~
195 ~~treatment and disposal systems who have successfully completed a~~
196 ~~department-approved soils morphology course and who are working~~
197 ~~under the direct responsible charge of an engineer licensed~~
198 ~~under chapter 471.~~

199 (4) STANDARDS FOR CERTIFICATION.—The department shall adopt
200 rules that establish definitions of terms and minimum standards
201 of education, training, or experience for those persons subject
202 to this section. The rules must also address the process for
203 application, examination, issuance, expiration, and renewal of

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204 certification and ethical standards of practice for the
205 profession.

206 (a) Persons employed as environmental health professionals
207 shall exhibit a knowledge of rules and principles of
208 environmental and public health law in Florida through
209 examination. A person may not conduct environmental health
210 evaluations in a primary program area unless he or she is
211 currently certified in that program area or works under the
212 direct supervision of a certified environmental health
213 professional.

214 1. All persons who begin employment in a primary
215 environmental health program on or after September 21, 1994,
216 must be certified in that program within 6 months after
217 employment.

218 2. Persons employed in the primary environmental health
219 program of a food protection program before ~~or an onsite sewage~~
220 ~~treatment and disposal system prior to~~ September 21, 1994, are
221 ~~shall be~~ considered certified while employed in that position
222 and are ~~shall be~~ required to adhere to any professional
223 standards established by the department pursuant to paragraph
224 (b), complete any continuing education requirements imposed
225 under paragraph (d), and pay the certificate renewal fee imposed
226 under subsection (6).

227 3. Persons employed in the primary environmental health
228 program of a food protection program before ~~or an onsite sewage~~
229 ~~treatment and disposal system prior to~~ September 21, 1994, who
230 change positions or program areas and transfer into another
231 primary environmental health program area on or after September
232 21, 1994, must be certified in that program within 6 months

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233 after such transfer, except that they are ~~will~~ not ~~be~~ required
234 to possess the college degree required under paragraph (e).

235 4. Registered sanitarians are ~~shall be~~ considered certified
236 and are ~~shall be~~ required to adhere to any professional
237 standards established by the department pursuant to paragraph
238 (b).

239 (b) At a minimum, the department shall establish standards
240 for professionals in the areas of food hygiene ~~and onsite sewage~~
241 ~~treatment and disposal~~.

242 (c) Those persons conducting primary environmental health
243 evaluations must ~~shall~~ be certified by examination to be
244 knowledgeable in any primary area of environmental health in
245 which they are routinely assigned duties.

246 (d) Persons who are certified shall renew their
247 certification biennially by completing a minimum of ~~not less~~
248 ~~than~~ 24 contact hours of continuing education for each program
249 area in which they maintain certification, subject to a maximum
250 of 48 hours for multiprogram certification.

251 (e) Applicants for certification must ~~shall~~ have graduated
252 from an accredited 4-year college or university with a degree or
253 major coursework in public health, environmental health,
254 environmental science, or a physical or biological science.

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

258 Section 7. Present paragraphs (e) through (h) of subsection
259 (14) of section 381.986, Florida Statutes, are redesignated as
260 paragraphs (f) through (i), respectively, a new paragraph (e) is
261 added to that subsection, and paragraph (e) of subsection (8) of

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262 that section is amended, to read:

263 381.986 Medical use of marijuana.—

264 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

265 (e) A licensed medical marijuana treatment center shall
266 cultivate, process, transport, and dispense marijuana for
267 medical use. A licensed medical marijuana treatment center may
268 not contract for services directly related to the cultivation,
269 processing, and dispensing of marijuana or marijuana delivery
270 devices, except that a medical marijuana treatment center
271 licensed pursuant to subparagraph (a)1. may contract with a
272 single entity for the cultivation, processing, transporting, and
273 dispensing of marijuana and marijuana delivery devices. A
274 licensed medical marijuana treatment center must, at all times,
275 maintain compliance with the criteria demonstrated and
276 representations made in the initial application and the criteria
277 established in this subsection. Upon request, the department may
278 grant a medical marijuana treatment center a variance from the
279 representations made in the initial application. Consideration
280 of such a request shall be based upon the individual facts and
281 circumstances surrounding the request. A variance may not be
282 granted unless the requesting medical marijuana treatment center
283 can demonstrate to the department that it has a proposed
284 alternative to the specific representation made in its
285 application which fulfills the same or a similar purpose as the
286 specific representation in a way that the department can
287 reasonably determine will not be a lower standard than the
288 specific representation in the application. A variance may not
289 be granted from the requirements in subparagraph 2. and
290 subparagraphs (b)1. and 2.

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291 1. A licensed medical marijuana treatment center may
292 transfer ownership to an individual or entity who meets the
293 requirements of this section. A publicly traded corporation or
294 publicly traded company that meets the requirements of this
295 section is not precluded from ownership of a medical marijuana
296 treatment center. To accommodate a change in ownership:

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

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

304 c. Upon receipt of an application for a license, the
305 department shall examine the application and, within 30 days
306 after receipt, notify the applicant in writing of any apparent
307 errors or omissions and request any additional information
308 required.

309 d. Requested information omitted from an application for
310 licensure must be filed with the department within 21 days after
311 the department's request for omitted information or the
312 application shall be deemed incomplete and shall be withdrawn
313 from further consideration and the fees shall be forfeited.

314 e. Within 30 days after the receipt of a complete
315 application, the department shall approve or deny the
316 application.

317 2. A medical marijuana treatment center, and any individual
318 or entity who directly or indirectly owns, controls, or holds
319 with power to vote 5 percent or more of the voting shares of a

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320 medical marijuana treatment center, may not acquire direct or
321 indirect ownership or control of any voting shares or other form
322 of ownership of any other medical marijuana treatment center.

323 3. A medical marijuana treatment center may not enter into
324 any form of profit-sharing arrangement with the property owner
325 or lessor of any of its facilities where cultivation,
326 processing, storing, or dispensing of marijuana and marijuana
327 delivery devices occurs.

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

331 5. Each medical marijuana treatment center must adopt and
332 enforce policies and procedures to ensure employees and
333 volunteers receive training on the legal requirements to
334 dispense marijuana to qualified patients.

335 6. When growing marijuana, a medical marijuana treatment
336 center:

337 a. May use pesticides determined by the department, after
338 consultation with the Department of Agriculture and Consumer
339 Services, to be safely applied to plants intended for human
340 consumption, but may not use pesticides designated as
341 restricted-use pesticides pursuant to s. 487.042.

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

344 c. Must inspect seeds and growing plants for plant pests
345 that endanger or threaten the horticultural and agricultural
346 interests of the state in accordance with chapter 581 and any
347 rules adopted thereunder.

348 d. Must perform fumigation or treatment of plants, or

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349 remove and destroy infested or infected plants, in accordance
350 with chapter 581 and any rules adopted thereunder.

351 7. Each medical marijuana treatment center must produce and
352 make available for purchase at least one low-THC cannabis
353 product.

354 8. A medical marijuana treatment center that produces
355 edibles must hold a permit to operate as a food establishment
356 pursuant to chapter 500, the Florida Food Safety Act, and must
357 comply with all the requirements for food establishments
358 pursuant to chapter 500 and any rules adopted thereunder.
359 Edibles may not contain more than 200 milligrams of
360 tetrahydrocannabinol, and a single serving portion of an edible
361 may not exceed 10 milligrams of tetrahydrocannabinol. Edibles
362 may have a potency variance of no greater than 15 percent.
363 Edibles may not be attractive to children; be manufactured in
364 the shape of humans, cartoons, or animals; be manufactured in a
365 form that bears any reasonable resemblance to products available
366 for consumption as commercially available candy; or contain any
367 color additives. To discourage consumption of edibles by
368 children, the department shall determine by rule any shapes,
369 forms, and ingredients allowed and prohibited for edibles.
370 Medical marijuana treatment centers may not begin processing or
371 dispensing edibles until after the effective date of the rule.
372 The department shall also adopt sanitation rules providing the
373 standards and requirements for the storage, display, or
374 dispensing of edibles.

375 9. Within 12 months after licensure, a medical marijuana
376 treatment center must demonstrate to the department that all of
377 its processing facilities have passed a Food Safety Good

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378 Manufacturing Practices, such as Global Food Safety Initiative
379 or equivalent, inspection by a nationally accredited certifying
380 body. A medical marijuana treatment center must immediately stop
381 processing at any facility which fails to pass this inspection
382 until it demonstrates to the department that such facility has
383 met this requirement.

384 10. A medical marijuana treatment center that produces
385 prerolled marijuana cigarettes may not use wrapping paper made
386 with tobacco or hemp.

387 11. When processing marijuana, a medical marijuana
388 treatment center must:

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

391 b. Comply with department rules when processing marijuana
392 with hydrocarbon solvents or other solvents or gases exhibiting
393 potential toxicity to humans. The department shall determine by
394 rule the requirements for medical marijuana treatment centers to
395 use such solvents or gases exhibiting potential toxicity to
396 humans.

397 c. Comply with federal and state laws and regulations and
398 department rules for solid and liquid wastes. The department
399 shall determine by rule procedures for the storage, handling,
400 transportation, management, and disposal of solid and liquid
401 waste generated during marijuana production and processing. The
402 Department of Environmental Protection shall assist the
403 department in developing such rules.

404 d. Test the processed marijuana using a medical marijuana
405 testing laboratory before it is dispensed. Results must be
406 verified and signed by two medical marijuana treatment center

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407 employees. Before dispensing, the medical marijuana treatment
408 center must determine that the test results indicate that low-
409 THC cannabis meets the definition of low-THC cannabis, the
410 concentration of tetrahydrocannabinol meets the potency
411 requirements of this section, the labeling of the concentration
412 of tetrahydrocannabinol and cannabidiol is accurate, and all
413 marijuana is safe for human consumption and free from
414 contaminants that are unsafe for human consumption. The
415 department shall determine by rule which contaminants must be
416 tested for and the maximum levels of each contaminant which are
417 safe for human consumption. The Department of Agriculture and
418 Consumer Services shall assist the department in developing the
419 testing requirements for contaminants that are unsafe for human
420 consumption in edibles. The department shall also determine by
421 rule the procedures for the treatment of marijuana that fails to
422 meet the testing requirements of this section, s. 381.988, or
423 department rule. The department may select samples of marijuana
424 ~~a random sample from edibles available for purchase in a~~ medical
425 marijuana treatment center dispensing facility which shall be
426 tested by the department to determine whether that the marijuana
427 ~~edible~~ meets the potency requirements of this section, is safe
428 for human consumption, and is accurately labeled with the
429 ~~labeling of~~ the tetrahydrocannabinol and cannabidiol
430 concentration or to verify the result of marijuana testing
431 conducted by a marijuana testing laboratory. The department may
432 also select samples of marijuana delivery devices from a
433 dispensing facility to determine whether the marijuana delivery
434 device is safe for use by qualified patients ~~is accurate.~~ A
435 medical marijuana treatment center may not require payment from

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436 the department for the sample. A medical marijuana treatment
437 center must recall marijuana edibles, including all marijuana
438 and marijuana products edibles made from the same batch of
439 marijuana, that fails ~~which fail~~ to meet the potency
440 requirements of this section, that is ~~which are~~ unsafe for human
441 consumption, or for which the labeling of the
442 tetrahydrocannabinol and cannabidiol concentration is
443 inaccurate. The medical marijuana treatment center must retain
444 records of all testing and samples of each homogenous batch of
445 marijuana for at least 9 months. The medical marijuana treatment
446 center must contract with a marijuana testing laboratory to
447 perform audits on the medical marijuana treatment center's
448 standard operating procedures, testing records, and samples and
449 provide the results to the department to confirm that the
450 marijuana or low-THC cannabis meets the requirements of this
451 section and that the marijuana or low-THC cannabis is safe for
452 human consumption. A medical marijuana treatment center shall
453 reserve two processed samples from each batch and retain such
454 samples for at least 9 months for the purpose of such audits. A
455 medical marijuana treatment center may use a laboratory that has
456 not been certified by the department under s. 381.988 until such
457 time as at least one laboratory holds the required
458 certification, but in no event later than July 1, 2018.

459 e. Package the marijuana in compliance with the United
460 States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.
461 1471 et seq.

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

464 (I) The marijuana or low-THC cannabis meets the

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465 requirements of sub-subparagraph d.

466 (II) The name of the medical marijuana treatment center
467 from which the marijuana originates.

468 (III) The batch number and harvest number from which the
469 marijuana originates and the date dispensed.

470 (IV) The name of the physician who issued the physician
471 certification.

472 (V) The name of the patient.

473 (VI) The product name, if applicable, and dosage form,
474 including concentration of tetrahydrocannabinol and cannabidiol.
475 The product name may not contain wording commonly associated
476 with products marketed by or to children.

477 (VII) The recommended dose.

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

480 (IX) A marijuana universal symbol developed by the
481 department.

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

- 485 a. Clinical pharmacology.
486 b. Indications and use.
487 c. Dosage and administration.
488 d. Dosage forms and strengths.
489 e. Contraindications.
490 f. Warnings and precautions.
491 g. Adverse reactions.

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

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494 smoking must be packaged in a sealed receptacle with a legible
495 and prominent warning to keep away from children and a warning
496 that states marijuana smoke contains carcinogens and may
497 negatively affect health. Such receptacles for marijuana in a
498 form for smoking must be plain, opaque, and white without
499 depictions of the product or images other than the medical
500 marijuana treatment center's department-approved logo and the
501 marijuana universal symbol.

502 14. The department shall adopt rules to regulate the types,
503 appearance, and labeling of marijuana delivery devices dispensed
504 from a medical marijuana treatment center. The rules must
505 require marijuana delivery devices to have an appearance
506 consistent with medical use.

507 15. Each edible shall be individually sealed in plain,
508 opaque wrapping marked only with the marijuana universal symbol.
509 Where practical, each edible shall be marked with the marijuana
510 universal symbol. In addition to the packaging and labeling
511 requirements in subparagraphs 11. and 12., edible receptacles
512 must be plain, opaque, and white without depictions of the
513 product or images other than the medical marijuana treatment
514 center's department-approved logo and the marijuana universal
515 symbol. The receptacle must also include a list of all the
516 edible's ingredients, storage instructions, an expiration date,
517 a legible and prominent warning to keep away from children and
518 pets, and a warning that the edible has not been produced or
519 inspected pursuant to federal food safety laws.

520 16. When dispensing marijuana or a marijuana delivery
521 device, a medical marijuana treatment center:

522 a. May dispense any active, valid order for low-THC

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523 cannabis, medical cannabis and cannabis delivery devices issued
524 pursuant to former s. 381.986, Florida Statutes 2016, which was
525 entered into the medical marijuana use registry before July 1,
526 2017.

527 b. May not dispense more than a 70-day supply of marijuana
528 within any 70-day period to a qualified patient or caregiver.
529 May not dispense more than one 35-day supply of marijuana in a
530 form for smoking within any 35-day period to a qualified patient
531 or caregiver. A 35-day supply of marijuana in a form for smoking
532 may not exceed 2.5 ounces unless an exception to this amount is
533 approved by the department pursuant to paragraph (4) (f).

534 c. Must have the medical marijuana treatment center's
535 employee who dispenses the marijuana or a marijuana delivery
536 device enter into the medical marijuana use registry his or her
537 name or unique employee identifier.

538 d. Must verify that the qualified patient and the
539 caregiver, if applicable, each have an active registration in
540 the medical marijuana use registry and an active and valid
541 medical marijuana use registry identification card, the amount
542 and type of marijuana dispensed matches the physician
543 certification in the medical marijuana use registry for that
544 qualified patient, and the physician certification has not
545 already been filled.

546 e. May not dispense marijuana to a qualified patient who is
547 younger than 18 years of age. If the qualified patient is
548 younger than 18 years of age, marijuana may only be dispensed to
549 the qualified patient's caregiver.

550 f. May not dispense or sell any other type of cannabis,
551 alcohol, or illicit drug-related product, including pipes or

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552 wrapping papers made with tobacco or hemp, other than a
553 marijuana delivery device required for the medical use of
554 marijuana and which is specified in a physician certification.

555 g. Must, upon dispensing the marijuana or marijuana
556 delivery device, record in the registry the date, time,
557 quantity, and form of marijuana dispensed; the type of marijuana
558 delivery device dispensed; and the name and medical marijuana
559 use registry identification number of the qualified patient or
560 caregiver to whom the marijuana delivery device was dispensed.

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

564 (14) EXCEPTIONS TO OTHER LAWS.—

565 (e) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or
566 any other law, but subject to the requirements of this section,
567 the department, including an employee of the department acting
568 within the scope of his or her employment, may acquire, possess,
569 test, transport, and lawfully dispose of marijuana and marijuana
570 delivery devices as provided in this section, in s. 381.988, and
571 by department rule.

572 Section 8. Subsection (1) of section 460.406, Florida
573 Statutes, is amended to read:

574 460.406 Licensure by examination.—

575 (1) Any person desiring to be licensed as a chiropractic
576 physician must apply to the department to take the licensure
577 examination. There shall be an application fee set by the board
578 not to exceed \$100 which shall be nonrefundable. There shall
579 also be an examination fee not to exceed \$500 plus the actual
580 per applicant cost to the department for purchase of portions of

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

586 (a) Completed the application form and remitted the
587 appropriate fee.

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

590 (c) Submitted proof satisfactory to the department that he
591 or she is a graduate of a chiropractic college which is
592 accredited by or has status with the Council on Chiropractic
593 Education or its predecessor agency. However, any applicant who
594 is a graduate of a chiropractic college that was initially
595 accredited by the Council on Chiropractic Education in 1995, who
596 graduated from such college within the 4 years immediately
597 preceding such accreditation, and who is otherwise qualified is
598 ~~shall be~~ eligible to take the examination. An ~~No~~ application for
599 a license to practice chiropractic medicine may not ~~shall~~ be
600 denied solely because the applicant is a graduate of a
601 chiropractic college that subscribes to one philosophy of
602 chiropractic medicine as distinguished from another.

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

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

617 2. Effective July 1, 2000, completed, before ~~prior to~~
618 matriculation in a chiropractic college, at least 3 years of
619 residence college work, consisting of a minimum of 90 semester
620 hours leading to a bachelor's degree in a liberal arts college
621 or university accredited by an institutional accrediting agency
622 recognized and approved by the United States Department of
623 Education. However, before ~~prior to~~ being certified by the board
624 to sit for the examination, each applicant who has matriculated
625 in a chiropractic college after July 1, 2000, must ~~shall~~ have
626 been granted a bachelor's degree from an institution holding
627 accreditation for that degree from an institutional ~~a regional~~
628 accrediting agency which is recognized by the United States
629 Department of Education. The applicant's chiropractic degree
630 must consist of credits earned in the chiropractic program and
631 may not include academic credit for courses from the bachelor's
632 degree.

633 (e) Successfully completed the National Board of
634 Chiropractic Examiners certification examination in parts I, II,
635 III, and IV, and the physiotherapy examination of the National
636 Board of Chiropractic Examiners, with a score approved by the
637 board.

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

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639 form and under procedures specified by the department, along
640 with payment in an amount equal to the costs incurred by the
641 Department of Health for the criminal background check of the
642 applicant.

643

644 The board may require an applicant who graduated from an
645 institution accredited by the Council on Chiropractic Education
646 more than 10 years before the date of application to the board
647 to take the National Board of Chiropractic Examiners Special
648 Purposes Examination for Chiropractic, or its equivalent, as
649 determined by the board. The board shall establish by rule a
650 passing score.

651 Section 9. Paragraph (e) of subsection (1) of section
652 464.018, Florida Statutes, is amended to read:

653 464.018 Disciplinary actions.—

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

657 (e) Having been found guilty of, ~~regardless of~~
658 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,
659 regardless of adjudication, any offense prohibited under s.
660 435.04 or similar statute of another jurisdiction; or having
661 committed an act which constitutes domestic violence as defined
662 in s. 741.28.

663 Section 10. Present subsections (13) and (14) of section
664 467.003, Florida Statutes, are redesignated as subsections (14)
665 and (15), respectively, a new subsection (13) is added to that
666 section, and subsections (1) and (12) of that section are
667 amended, to read:

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668 467.003 Definitions.—As used in this chapter, unless the
669 context otherwise requires:

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

673 (12) “Preceptor” means a physician licensed under chapter
674 458 or chapter 459, a ~~licensed~~ midwife licensed under this
675 chapter, or a certified nurse midwife licensed under chapter
676 464, who has a minimum of 3 years’ professional experience, and
677 who directs, teaches, supervises, and evaluates the learning
678 experiences of a the student midwife as part of an approved
679 midwifery program.

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

686 Section 11. Section 467.009, Florida Statutes, is amended
687 to read:

688 467.009 Approved midwifery programs; education and training
689 requirements.—

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

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

696 1. Obstetrics.

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- 697 2. Neonatal pediatrics.†
 698 3. Basic sciences.†
 699 4. Female reproductive anatomy and physiology.†
 700 5. Behavioral sciences.†
 701 6. Childbirth education.†
 702 7. Community care.†
 703 8. Epidemiology.†
 704 9. Genetics.†
 705 10. Embryology.†
 706 11. Neonatology.†
 707 12. Applied pharmacology.†
 708 13. The medical and legal aspects of midwifery.†
 709 14. Gynecology and women's health.†
 710 15. Family planning.†
 711 16. Nutrition during pregnancy and lactation.†
 712 17. Breastfeeding.† and
 713 18. Basic nursing skills; ~~and any other instruction~~
 714 ~~determined by the department and council to be necessary.~~
 715 (b) ~~The standards shall incorporate the~~ Core competencies,
 716 incorporating those established by the American College of Nurse
 717 Midwives and the Midwives Alliance of North America, including
 718 knowledge, skills, and professional behavior in all of the
 719 following areas:
 720 1. Primary management, collaborative management, referral,
 721 and medical consultation.†
 722 2. Antepartal, intrapartal, postpartal, and neonatal care.†
 723 3. Family planning and gynecological care.†
 724 4. Common complications.† and
 725 5. Professional responsibilities.

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

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

734 (3) An approved midwifery program may reduce ~~If the~~
735 ~~applicant is a registered nurse or a licensed practical nurse or~~
736 ~~has previous nursing or midwifery education,~~ the required period
737 of training ~~may be reduced~~ to the extent of the student's
738 ~~applicant's~~ qualifications as a registered nurse or licensed
739 practical nurse or based on prior completion of equivalent
740 nursing or midwifery education, as determined ~~under rules~~
741 ~~adopted by the department~~ rule. ~~In no case shall the training be~~
742 ~~reduced to a period of less than 2 years.~~

743 (4)-(3) An approved midwifery program may accept students
744 who ~~To be accepted into an approved midwifery program, an~~
745 ~~applicant shall have~~ both:

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

747 (b) Taken three college-level credits each of math and
748 English or demonstrated competencies in communication and
749 computation.

750 (5)-(4) As part of its course of study, an approved
751 midwifery program must require clinical training that includes
752 all of the following:

753 (a) A student midwife, during training, shall undertake,
754 ~~under the supervision of a preceptor,~~ The care of 50 women in

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755 each of the prenatal, intrapartal, and postpartal periods under
756 the supervision of a preceptor., ~~but~~ The same women need not be
757 seen through all three periods.

758 ~~(b)(5) Observation of The student midwife shall observe an~~
759 ~~additional 25 women in the intrapartal period before qualifying~~
760 ~~for a license.~~

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

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

765 ~~(b) A requirement that students demonstrate competency in~~
766 ~~the assessment of and differentiation,~~ with particular emphasis
767 ~~on learning the ability to differentiate~~ between low-risk
768 pregnancies and high-risk pregnancies.

769 ~~(7)~~ A hospital or birthing center receiving public funds
770 shall be required to provide student midwives access to observe
771 labor, delivery, and postpartal procedures, provided the woman
772 in labor has given informed consent. The Department of Health
773 shall assist in facilitating access to hospital training for
774 approved midwifery programs.

775 ~~(8)(7)~~ The Department of Education shall adopt curricular
776 frameworks for midwifery programs conducted within public
777 educational institutions under ~~pursuant to~~ this section.

778 ~~(8) Nonpublic educational institutions that conduct~~
779 ~~approved midwifery programs shall be accredited by a member of~~
780 ~~the Commission on Recognition of Postsecondary Accreditation and~~
781 ~~shall be licensed by the Commission for Independent Education.~~

782 Section 12. Section 467.011, Florida Statutes, is amended
783 to read:

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784 467.011 Licensed midwives; qualifications; examination
 785 ~~Licensure by examination.~~

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

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

792 ~~(3) The department shall issue a license to practice~~
 793 ~~midwifery to an applicant who meets all of the following~~
 794 ~~criteria:~~

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

797 (a) An approved midwifery program.

798 (b) A medical or midwifery program offered in another
 799 state, jurisdiction, territory, or country whose graduation
 800 requirements were equivalent to or exceeded those required by s.
 801 467.009 and the rules adopted thereunder at the time of
 802 graduation.

803 (2) Demonstrates that he or she has ~~and~~ successfully
 804 completed a prelicensure course offered by an approved midwifery
 805 program. Students graduating from an approved midwifery program
 806 may meet this requirement by showing that the content
 807 requirements for the prelicensure course were covered as part of
 808 their course of study.

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

811 (4) Demonstrates that he or she has received a passing
 812 score on an ~~the~~ examination specified by the department, ~~upon~~

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813 ~~payment of the required licensure fee.~~

814 Section 13. Section 467.0125, Florida Statutes, is amended
815 to read:

816 467.0125 Licensed midwives; qualifications; Licensure by
817 endorsement; temporary certificates.—

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

822 (a) ~~1. Holds a valid certificate or diploma from a foreign~~
823 ~~institution of medicine or midwifery or from a midwifery program~~
824 ~~offered in another state, bearing the seal of the institution or~~
825 ~~otherwise authenticated, which renders the individual eligible~~
826 ~~to practice midwifery in the country or state in which it was~~
827 ~~issued, provided the requirements therefor are deemed by the~~
828 ~~department to be substantially equivalent to, or to exceed,~~
829 ~~those established under this chapter and rules adopted under~~
830 ~~this chapter, and submits therewith a certified translation of~~
831 ~~the foreign certificate or diploma; or~~

832 2. Holds an active, unencumbered ~~a valid certificate or~~
833 ~~license to practice midwifery in another state, jurisdiction, or~~
834 ~~territory issued by that state, provided the licensing~~
835 ~~requirements of that state, jurisdiction, or territory at the~~
836 ~~time the license was issued were therefor are deemed by the~~
837 ~~department to be substantially equivalent to, or exceeded to~~
838 ~~exceed, those established under this chapter and the rules~~
839 ~~adopted thereunder under this chapter.~~

840 (b) Has successfully completed a ~~4-month~~ prelicensure
841 course conducted by an approved midwifery program ~~and has~~

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842 ~~submitted documentation to the department of successful~~
843 ~~completion.~~

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

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

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

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

860 1. A county health department;

861 2. A correctional facility;

862 3. A Department of Veterans' Affairs clinic;

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

865 5. Any other agency or institution that is approved by the
866 State Surgeon General and provides health care to meet the needs
867 of an underserved population in this state; and ~~those specific~~
868 ~~areas,~~

869 (c) Will practice only under the supervision ~~auspices~~ of a
870 physician licensed under ~~pursuant to~~ chapter 458 or chapter 459,

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871 a certified nurse midwife licensed under ~~pursuant to~~ part I of
872 chapter 464, or a midwife licensed under this chapter, who has a
873 minimum of 3 years' professional experience.

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

876 (a) A requirement that a temporary certificateholder
877 practice only in areas of critical need. The State Surgeon
878 General shall determine the areas of critical need, which ~~Such~~
879 areas shall include, but are not ~~be~~ limited to, health
880 professional shortage areas designated by the United States
881 Department of Health and Human Services.

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

885 1. Report a new practice area of critical need to the
886 department; or

887 2. Voluntarily relinquish the temporary certificate.

888 (c) The department shall review a temporary
889 certificateholder's practice at least annually to determine
890 whether the certificateholder is meeting the requirements of
891 subsections (2) and (3) and the rules adopted thereunder. If the
892 department determines that a certificateholder is not meeting
893 these requirements, the department must revoke the temporary
894 certificate.

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

899 ~~(e) The department may administer an abbreviated oral~~

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900 ~~examination to determine the midwife's competency, but no~~
901 ~~written regular examination shall be necessary.~~

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

907 ~~(e) The department shall review the practice under a~~
908 ~~temporary certificate at least annually to ascertain that the~~
909 ~~minimum requirements of the midwifery rules promulgated under~~
910 ~~this chapter are being met. If it is determined that the minimum~~
911 ~~requirements are not being met, the department shall immediately~~
912 ~~revoke the temporary certificate.~~

913 ~~(f) The fee for a temporary certificate shall not exceed~~
914 ~~\$50 and shall be in addition to the fee required for licensure.~~

915 Section 14. Section 467.205, Florida Statutes, is amended
916 to read:

917 467.205 Approval of midwifery programs.—

918 (1) The department shall approve an accredited or state-
919 licensed public or private institution seeking to provide
920 midwifery education and training as an approved midwifery
921 program in this state if the institution meets all of the
922 following criteria:

923 (a) Submits an application for approval on a form approved
924 by the department.

925 (b) Demonstrates to the department's satisfaction that the
926 proposed midwifery program complies with s. 467.009 and the
927 rules adopted thereunder.

928 (c) For a private institution, demonstrates its

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929 accreditation by a member of the Council for Higher Education
930 Accreditation and its licensing or provisional licensing by the
931 Commission for Independent Education ~~An organization desiring to~~
932 ~~conduct an approved program for the education of midwives shall~~
933 ~~apply to the department and submit such evidence as may be~~
934 ~~required to show that it complies with s. 467.009 and with the~~
935 ~~rules of the department. Any accredited or state-licensed~~
936 ~~institution of higher learning, public or private, may provide~~
937 ~~midwifery education and training.~~

938 ~~(2) The department shall adopt rules regarding educational~~
939 ~~objectives, faculty qualifications, curriculum guidelines,~~
940 ~~administrative procedures, and other training requirements as~~
941 ~~are necessary to ensure that approved programs graduate midwives~~
942 ~~competent to practice under this chapter.~~

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

947 ~~(2)~~(4) The department shall, at least once every 3 years,
948 certify whether each approved midwifery program is currently
949 compliant, and has maintained compliance, ~~complies with the~~
950 requirements of standards developed under s. 467.009 and the
951 rules adopted thereunder.

952 ~~(3)~~(5) If the department finds that an approved midwifery
953 program is not in compliance with the requirements of s. 467.009
954 or the rules adopted thereunder, or has lost its accreditation
955 status, the department must provide its finding to the program
956 in writing and no longer meets the required standards, it may
957 place the program on probationary status for a specified period

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958 of time, which may not exceed 3 years ~~until such time as the~~
959 ~~standards are restored.~~

960 (4) If a program on probationary status does not come into
961 compliance with the requirements of s. 467.009 or the rules
962 adopted thereunder, or regain its accreditation status, as
963 applicable, within the period specified by the department ~~fails~~
964 ~~to correct these conditions within a specified period of time,~~
965 the department may rescind the program's approval.

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

968 (6) The department may grant provisional approval of a new
969 program seeking accreditation status, for a period not to exceed
970 5 years, provided that all other requirements of this section
971 are met.

972 (7) The department may rescind provisional approval of a
973 program that fails to the meet the requirements of s. 467.009,
974 this section, or the rules adopted thereunder, in accordance
975 with procedures provided in subsections (3) and (4) ~~may be~~
976 ~~granted pending the licensure results of the first graduating~~
977 ~~class.~~

978 Section 15. Subsections (2), (3), and (4) and paragraphs
979 (a) and (b) of subsection (5) of section 468.803, Florida
980 Statutes, are amended to read:

981 468.803 License, registration, and examination
982 requirements.—

983 (2) An applicant for registration, examination, or
984 licensure must apply to the department on a form prescribed by
985 the board for consideration of board approval. Each initial
986 applicant shall submit ~~a set of~~ fingerprints to the department

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987 ~~on a form and under procedures specified by the department,~~
988 ~~along with payment in an amount equal to the costs incurred by~~
989 ~~the department for state and national criminal history checks of~~
990 ~~the applicant. The department shall submit the fingerprints~~
991 ~~provided by an applicant to the Department of Law Enforcement~~
992 ~~for a statewide criminal history check, and the Department of~~
993 ~~Law Enforcement shall forward the fingerprints to the Federal~~
994 ~~Bureau of Investigation for a national criminal history check of~~
995 ~~the applicant.~~ The board shall screen the results to determine
996 if an applicant meets licensure requirements. The board shall
997 consider for examination, registration, or licensure each
998 applicant who the board verifies:

999 (a) Has submitted the completed application and completed
1000 the fingerprinting requirements ~~fingerprint forms~~ and has paid
1001 the applicable application fee, not to exceed \$500, ~~and the cost~~
1002 ~~of the state and national criminal history checks.~~ The
1003 application fee is ~~and cost of the criminal history checks shall~~
1004 ~~be~~ nonrefundable;

1005 (b) Is of good moral character;

1006 (c) Is 18 years of age or older; and

1007 (d) Has completed the appropriate educational preparation.

1008 (3) A person seeking to attain the orthotics or prosthetics
1009 experience required for licensure in this state must be approved
1010 by the board and registered as a resident by the department.
1011 Although a registration may be held in both disciplines, for
1012 independent registrations the board may not approve a second
1013 registration until at least 1 year after the issuance of the
1014 first registration. Notwithstanding subsection (2), a person who
1015 has been approved by the board and registered by the department

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1016 in one discipline may apply for registration in the second
1017 discipline without an additional state or national criminal
1018 history check during the period in which the first registration
1019 is valid. Each independent registration or dual registration is
1020 valid for 2 years after the date of issuance unless otherwise
1021 revoked by the department upon recommendation of the board. The
1022 board shall set a registration fee not to exceed \$500 to be paid
1023 by the applicant. A registration may be renewed once by the
1024 department upon recommendation of the board for a period no
1025 longer than 1 year, as such renewal is defined by the board by
1026 rule. The renewal fee may not exceed one-half the current
1027 registration fee. To be considered by the board for approval of
1028 registration as a resident, the applicant must have one of the
1029 following:

1030 (a) A Bachelor of Science or higher-level postgraduate
1031 degree in orthotics and prosthetics from an ~~a regionally~~
1032 accredited college or university recognized by the Commission on
1033 Accreditation of Allied Health Education Programs.

1034 (b) A minimum of a bachelor's degree from an
1035 institutionally ~~a regionally~~ accredited college or university
1036 and a certificate in orthotics or prosthetics from a program
1037 recognized by the Commission on Accreditation of Allied Health
1038 Education Programs, or its equivalent, as determined by the
1039 board.

1040 (c) A minimum of a bachelor's degree from an
1041 institutionally ~~a regionally~~ accredited college or university
1042 and a dual certificate in both orthotics and prosthetics from
1043 programs recognized by the Commission on Accreditation of Allied
1044 Health Education Programs, or its equivalent, as determined by

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1045 the board.

1046 (4) The department may develop and administer a state
1047 examination for an orthotist or a prosthetist license, or the
1048 board may approve the existing examination of a national
1049 standards organization. The examination must be predicated on a
1050 minimum of a baccalaureate-level education and formalized
1051 specialized training in the appropriate field. Each examination
1052 must demonstrate a minimum level of competence in basic
1053 scientific knowledge, written problem solving, and practical
1054 clinical patient management. The board shall require an
1055 examination fee not to exceed the actual cost to the board in
1056 developing, administering, and approving the examination, which
1057 fee must be paid by the applicant. To be considered by the board
1058 for examination, the applicant must have:

1059 (a) For an examination in orthotics:

1060 1. A Bachelor of Science or higher-level postgraduate
1061 degree in orthotics and prosthetics from an institutionally a
1062 ~~regionally~~ accredited college or university recognized by the
1063 Commission on Accreditation of Allied Health Education Programs
1064 or, at a minimum, a bachelor's degree from an institutionally a
1065 ~~regionally~~ accredited college or university and a certificate in
1066 orthotics from a program recognized by the Commission on
1067 Accreditation of Allied Health Education Programs, or its
1068 equivalent, as determined by the board; and

1069 2. An approved orthotics internship of 1 year of qualified
1070 experience, as determined by the board, or an orthotic residency
1071 or dual residency program recognized by the board.

1072 (b) For an examination in prosthetics:

1073 1. A Bachelor of Science or higher-level postgraduate

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

1082 2. An approved prosthetics internship of 1 year of
1083 qualified experience, as determined by the board, or a
1084 prosthetic residency or dual residency program recognized by the
1085 board.

1086 (5) In addition to the requirements in subsection (2), to
1087 be licensed as:

1088 (a) An orthotist, the applicant must pay a license fee not
1089 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 orthotics from a
1096 program recognized by the Commission on Accreditation of Allied
1097 Health Education Programs, or its equivalent, as determined by
1098 the board;

1099 2. An approved ~~appropriate~~ internship of 1 year of
1100 qualified experience, as determined by the board, or a residency
1101 program recognized by the board;

1102 3. Completed the mandatory courses; and

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

1105 (b) A prosthetist, the applicant must pay a license fee not
1106 to exceed \$500 and must have:

1107 1. A Bachelor of Science or higher-level postgraduate
1108 degree in Orthotics and Prosthetics from an institutionally a
1109 ~~regionally~~ accredited college or university recognized by the
1110 Commission on Accreditation of Allied Health Education Programs,
1111 or a bachelor's degree from an institutionally accredited
1112 college or university and ~~with~~ a certificate in prosthetics from
1113 a program recognized by the Commission on Accreditation of
1114 Allied Health Education Programs, or its equivalent, as
1115 determined by the board;

1116 2. An internship of 1 year of qualified experience, as
1117 determined by the board, or a residency program recognized by
1118 the board;

1119 3. Completed the mandatory courses; and

1120 4. Passed the state prosthetics examination or the board-
1121 approved prosthetics examination.

1122 Section 16. Section 483.824, Florida Statutes, is amended
1123 to read:

1124 483.824 Qualifications of clinical laboratory director.—A
1125 clinical laboratory director must have 4 years of clinical
1126 laboratory experience with 2 years of experience in the
1127 specialty to be directed or be nationally board certified in the
1128 specialty to be directed, and must meet one of the following
1129 requirements:

1130 (1) Be a physician licensed under chapter 458 or chapter
1131 459;

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1132 (2) Hold an earned doctoral degree in a chemical, physical,
1133 or biological science from an ~~a regionally~~ accredited
1134 institution and maintain national certification requirements
1135 equal to those required by the federal Health Care Financing
1136 Administration; or

1137 (3) For the subspecialty of oral pathology, be a physician
1138 licensed under chapter 458 or chapter 459 or a dentist licensed
1139 under chapter 466.

1140 Section 17. Subsection (3) of section 490.003, Florida
1141 Statutes, is amended to read:

1142 490.003 Definitions.—As used in this chapter:

1143 (3) (a) "Doctoral degree from an American Psychological
1144 Association accredited program" means ~~Effective July 1, 1999,~~
1145 ~~"doctoral-level psychological education" and "doctoral degree in~~
1146 ~~psychology"~~ mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in
1147 psychology from a psychology program at an educational
1148 institution that, at the time the applicant was enrolled and
1149 graduated:

1150 1. (a) Had institutional accreditation from an agency
1151 recognized and approved by the United States Department of
1152 Education or was recognized as a member in good standing with
1153 the Association of Universities and Colleges of Canada; and

1154 2. (b) Had programmatic accreditation from the American
1155 Psychological Association.

1156 (b) "Doctoral degree in psychology" means a Psy.D., an
1157 Ed.D. in psychology, or a Ph.D. in psychology from a psychology
1158 program at an educational institution that, at the time the
1159 applicant was enrolled and graduated, had institutional
1160 accreditation from an agency recognized and approved by the

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1161 United States Department of Education or was recognized as a
1162 member in good standing with the Association of Universities and
1163 Colleges of Canada.

1164 Section 18. Subsection (1) of section 490.005, Florida
1165 Statutes, is amended to read:

1166 490.005 Licensure by examination.—

1167 (1) Any person desiring to be licensed as a psychologist
1168 shall apply to the department to take the licensure examination.
1169 The department shall license each applicant who the board
1170 certifies has met all of the following requirements:

1171 (a) Completed the application form and remitted a
1172 nonrefundable application fee not to exceed \$500 and an
1173 examination fee set by the board sufficient to cover the actual
1174 per applicant cost to the department for development, purchase,
1175 and administration of the examination, but not to exceed \$500.

1176 (b) Submitted proof satisfactory to the board that the
1177 applicant has received:

1178 1. A doctoral degree from an American Psychological
1179 Association accredited program ~~Doctoral-level psychological~~
1180 ~~education; or~~

1181 2. The equivalent of a doctoral degree from an American
1182 Psychological Association accredited program ~~doctoral-level~~
1183 ~~psychological education, as defined in s. 490.003(3),~~ from a
1184 program at a school or university located outside the United
1185 States of America which was officially recognized by the
1186 government of the country in which it is located as an
1187 institution or program to train students to practice
1188 professional psychology. The applicant has the burden of
1189 establishing that this requirement has been met.

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1190 (c) Had at least 2 years or 4,000 hours of experience in
 1191 the field of psychology in association with or under the
 1192 supervision of a licensed psychologist meeting the academic and
 1193 experience requirements of this chapter or the equivalent as
 1194 determined by the board. The experience requirement may be met
 1195 by work performed on or off the premises of the supervising
 1196 psychologist if the off-premises work is not the independent,
 1197 private practice rendering of psychological services that does
 1198 not have a psychologist as a member of the group actually
 1199 rendering psychological services on the premises.

1200 (d) Passed the examination. However, an applicant who has
 1201 obtained a passing score, as established by the board by rule,
 1202 on the psychology licensure examination designated by the board
 1203 as the national licensure examination need only pass the Florida
 1204 law and rules portion of the examination.

1205 Section 19. Subsection (1) of section 490.0051, Florida
 1206 Statutes, is amended to read:

1207 490.0051 Provisional licensure; requirements.—

1208 (1) The department shall issue a provisional psychology
 1209 license to each applicant who the board certifies has:

1210 (a) Completed the application form and remitted a
 1211 nonrefundable application fee not to exceed \$250, as set by
 1212 board rule.

1213 (b) Earned a doctoral degree from an American Psychological
 1214 Association accredited program in psychology as defined in s.
 1215 490.003(3).

1216 (c) Met any additional requirements established by board
 1217 rule.

1218 Section 20. Subsections (1), (3), and (4) of section

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1219 491.005, Florida Statutes, are amended to read:

1220 491.005 Licensure by examination.—

1221 (1) CLINICAL SOCIAL WORK.—Upon verification of
1222 documentation and payment of a fee not to exceed \$200, as set by
1223 board rule, ~~plus the actual per applicant cost to the department~~
1224 ~~for purchase of the examination from the American Association of~~
1225 ~~State Social Worker's Boards or a similar national organization,~~
1226 the department shall issue a license as a clinical social worker
1227 to an applicant who the board certifies has met all of the
1228 following criteria:

1229 (a) ~~Has~~ Submitted an application and paid the appropriate
1230 fee.

1231 (b)1. ~~Has~~ Received a doctoral degree in social work from a
1232 graduate school of social work which at the time the applicant
1233 graduated was accredited by an accrediting agency recognized by
1234 the United States Department of Education or has received a
1235 master's degree in social work from a graduate school of social
1236 work which at the time the applicant graduated:

1237 a. Was accredited by the Council on Social Work Education;

1238 b. Was accredited by the Canadian Association of Schools of
1239 Social Work; or

1240 c. Has been determined to have been a program equivalent to
1241 programs approved by the Council on Social Work Education by the
1242 Foreign Equivalency Determination Service of the Council on
1243 Social Work Education. An applicant who graduated from a program
1244 at a university or college outside of the United States or
1245 Canada must present documentation of the equivalency
1246 determination from the council in order to qualify.

1247 2. The applicant's graduate program must have emphasized

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1248 direct clinical patient or client health care services,
1249 including, but not limited to, coursework in clinical social
1250 work, psychiatric social work, medical social work, social
1251 casework, psychotherapy, or group therapy. The applicant's
1252 graduate program must have included all of the following
1253 coursework:

1254 a. A supervised field placement which was part of the
1255 applicant's advanced concentration in direct practice, during
1256 which the applicant provided clinical services directly to
1257 clients.

1258 b. Completion of 24 semester hours or 32 quarter hours in
1259 theory of human behavior and practice methods as courses in
1260 clinically oriented services, including a minimum of one course
1261 in psychopathology, and no more than one course in research,
1262 taken in a school of social work accredited or approved pursuant
1263 to subparagraph 1.

1264 3. If the course title which appears on the applicant's
1265 transcript does not clearly identify the content of the
1266 coursework, the applicant shall be required to provide
1267 additional documentation, including, but not limited to, a
1268 syllabus or catalog description published for the course.

1269 (c) ~~Has~~ Had at least 2 years of clinical social work
1270 experience, which took place subsequent to completion of a
1271 graduate degree in social work at an institution meeting the
1272 accreditation requirements of this section, under the
1273 supervision of a licensed clinical social worker or the
1274 equivalent who is a qualified supervisor as determined by the
1275 board. An individual who intends to practice in Florida to
1276 satisfy clinical experience requirements must register pursuant

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1277 to s. 491.0045 before commencing practice. If the applicant's
1278 graduate program was not a program which emphasized direct
1279 clinical patient or client health care services as described in
1280 subparagraph (b)2., the supervised experience requirement must
1281 take place after the applicant has completed a minimum of 15
1282 semester hours or 22 quarter hours of the coursework required. A
1283 doctoral internship may be applied toward the clinical social
1284 work experience requirement. A licensed mental health
1285 professional must be on the premises when clinical services are
1286 provided by a registered intern in a private practice setting.
1287 When a registered intern is providing clinical services through
1288 telehealth, a licensed mental health professional must be
1289 accessible by telephone or electronic means.

1290 (d) ~~Has~~ Passed a theory and practice examination designated
1291 by board rule provided by the department for this purpose.

1292 (e) ~~Has~~ Demonstrated, in a manner designated by rule of the
1293 board, knowledge of the laws and rules governing the practice of
1294 clinical social work, marriage and family therapy, and mental
1295 health counseling.

1296 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
1297 documentation and payment of a fee not to exceed \$200, as set by
1298 board rule, plus the actual cost of the purchase of the
1299 examination from the Association of Marital and Family Therapy
1300 Regulatory Board, or similar national organization, the
1301 department shall issue a license as a marriage and family
1302 therapist to an applicant who the board certifies has met all of
1303 the following criteria:

1304 (a) ~~Has~~ Submitted an application and paid the appropriate
1305 fee.

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1306 (b) 1. Obtained one of the following:

1307 a. Has A minimum of a master's degree with major emphasis
1308 in marriage and family therapy or a closely related field from a
1309 program accredited by the Commission on Accreditation for
1310 Marriage and Family Therapy Education or from a Florida
1311 university program accredited by the Council for Accreditation
1312 of Counseling and Related Educational Programs.

1313 b. A minimum of a master's degree with an emphasis in
1314 marriage and family therapy with a degree conferred date before
1315 July 1, 2026, from an institutionally accredited Florida college
1316 or university that is not yet accredited by the Commission on
1317 Accreditation for Marriage and Family Therapy Education or the
1318 Council for Accreditation of Counseling and Related Educational
1319 Programs.

1320 2. Completed ~~and~~ graduate courses approved by the Board of
1321 Clinical Social Work, Marriage and Family Therapy, and Mental
1322 Health Counseling.

1323
1324 If the course title that appears on the applicant's transcript
1325 does not clearly identify the content of the coursework, the
1326 applicant shall provide additional documentation, including, but
1327 not limited to, a syllabus or catalog description published for
1328 the course. The required master's degree must have been received
1329 in an institution of higher education that, at the time the
1330 applicant graduated, was fully accredited by an institutional ~~a~~
1331 ~~regional~~ accrediting body recognized by the Commission on
1332 Recognition of Postsecondary Accreditation or publicly
1333 recognized as a member in good standing with the Association of
1334 Universities and Colleges of Canada, or an institution of higher

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1335 education located outside the United States and Canada which, at
1336 the time the applicant was enrolled and at the time the
1337 applicant graduated, maintained a standard of training
1338 substantially equivalent to the standards of training of those
1339 institutions in the United States which are accredited by an
1340 institutional ~~a regional~~ accrediting body recognized by the
1341 Commission on Recognition of Postsecondary Accreditation. Such
1342 foreign education and training must have been received in an
1343 institution or program of higher education officially recognized
1344 by the government of the country in which it is located as an
1345 institution or program to train students to practice as
1346 professional marriage and family therapists or psychotherapists.
1347 The applicant has the burden of establishing that the
1348 requirements of this provision have been met, and the board
1349 shall require documentation, such as an evaluation by a foreign
1350 equivalency determination service, as evidence that the
1351 applicant's graduate degree program and education were
1352 equivalent to an accredited program in this country. An
1353 applicant with a master's degree from a program that did not
1354 emphasize marriage and family therapy may complete the
1355 coursework requirement in a training institution fully
1356 accredited by the Commission on Accreditation for Marriage and
1357 Family Therapy Education recognized by the United States
1358 Department of Education.

1359 (c) ~~Has~~ Had at least 2 years of clinical experience during
1360 which 50 percent of the applicant's clients were receiving
1361 marriage and family therapy services, which must have been ~~be~~ at
1362 the post-master's level under the supervision of a licensed
1363 marriage and family therapist with at least 5 years of

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1364 experience, or the equivalent, who is a qualified supervisor as
1365 determined by the board. An individual who intends to practice
1366 in Florida to satisfy the clinical experience requirements must
1367 register pursuant to s. 491.0045 before commencing practice. If
1368 a graduate has a master's degree with a major emphasis in
1369 marriage and family therapy or a closely related field which did
1370 not include all of the coursework required by paragraph (b),
1371 credit for the post-master's level clinical experience may not
1372 commence until the applicant has completed a minimum of 10 of
1373 the courses required by paragraph (b), as determined by the
1374 board, and at least 6 semester hours or 9 quarter hours of the
1375 course credits must have been completed in the area of marriage
1376 and family systems, theories, or techniques. Within the 2 years
1377 of required experience, the applicant must ~~shall~~ provide direct
1378 individual, group, or family therapy and counseling to cases
1379 including those involving unmarried dyads, married couples,
1380 separating and divorcing couples, and family groups that include
1381 children. A doctoral internship may be applied toward the
1382 clinical experience requirement. A licensed mental health
1383 professional must be on the premises when clinical services are
1384 provided by a registered intern in a private practice setting.
1385 When a registered intern is providing clinical services through
1386 telehealth, a licensed mental health professional must be
1387 accessible by telephone or other electronic means.

1388 (d) ~~Has~~ Passed a theory and practice examination designated
1389 by board rule ~~provided by the department.~~

1390 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,
1391 knowledge of the laws and rules governing the practice of
1392 clinical social work, marriage and family therapy, and mental

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1393 health counseling.

1394

1395 For the purposes of dual licensure, the department shall license
1396 as a marriage and family therapist any person who meets the
1397 requirements of s. 491.0057. Fees for dual licensure may not
1398 exceed those stated in this subsection.

1399 (4) MENTAL HEALTH COUNSELING.—Upon verification of
1400 documentation and payment of a fee not to exceed \$200, as set by
1401 board rule, ~~plus the actual per applicant cost of purchase of~~
1402 ~~the examination from the National Board for Certified Counselors~~
1403 ~~or its successor organization,~~ the department shall issue a
1404 license as a mental health counselor to an applicant who the
1405 board certifies has met all of the following criteria:

1406 (a) ~~Has~~ Submitted an application and paid the appropriate
1407 fee.

1408 (b)1. Obtained ~~Has~~ a minimum of an earned master's degree
1409 from a mental health counseling program accredited by the
1410 Council for the Accreditation of Counseling and Related
1411 Educational Programs which consists of at least 60 semester
1412 hours or 80 quarter hours of clinical and didactic instruction,
1413 including a course in human sexuality and a course in substance
1414 abuse. If the master's degree is earned from a program related
1415 to the practice of mental health counseling which is not
1416 accredited by the Council for the Accreditation of Counseling
1417 and Related Educational Programs, then the coursework and
1418 practicum, internship, or fieldwork must consist of at least 60
1419 semester hours or 80 quarter hours and meet all of the following
1420 requirements:

1421 a. Thirty-three semester hours or 44 quarter hours of

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1422 graduate coursework, which must include a minimum of 3 semester
1423 hours or 4 quarter hours of graduate-level coursework in each of
1424 the following 11 content areas: counseling theories and
1425 practice; human growth and development; diagnosis and treatment
1426 of psychopathology; human sexuality; group theories and
1427 practice; individual evaluation and assessment; career and
1428 lifestyle assessment; research and program evaluation; social
1429 and cultural foundations; substance abuse; and legal, ethical,
1430 and professional standards issues in the practice of mental
1431 health counseling. Courses in research, thesis or dissertation
1432 work, practicums, internships, or fieldwork may not be applied
1433 toward this requirement.

1434 b. A minimum of 3 semester hours or 4 quarter hours of
1435 graduate-level coursework addressing diagnostic processes,
1436 including differential diagnosis and the use of the current
1437 diagnostic tools, such as the current edition of the American
1438 Psychiatric Association's Diagnostic and Statistical Manual of
1439 Mental Disorders. The graduate program must have emphasized the
1440 common core curricular experience.

1441 c. The equivalent, as determined by the board, of at least
1442 700 hours of university-sponsored supervised clinical practicum,
1443 internship, or field experience that includes at least 280 hours
1444 of direct client services, as required in the accrediting
1445 standards of the Council for Accreditation of Counseling and
1446 Related Educational Programs for mental health counseling
1447 programs. This experience may not be used to satisfy the post-
1448 master's clinical experience requirement.

1449 2. ~~Has~~ Provided additional documentation if a course title
1450 that appears on the applicant's transcript does not clearly

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1451 identify the content of the coursework. The documentation must
1452 include, but is not limited to, a syllabus or catalog
1453 description published for the course.
1454

1455 Education and training in mental health counseling must have
1456 been received in an institution of higher education that, at the
1457 time the applicant graduated, was fully accredited by an
1458 institutional ~~a regional~~ accrediting body recognized by the
1459 Council for Higher Education Accreditation or its successor
1460 organization or publicly recognized as a member in good standing
1461 with the Association of Universities and Colleges of Canada, or
1462 an institution of higher education located outside the United
1463 States and Canada which, at the time the applicant was enrolled
1464 and at the time the applicant graduated, maintained a standard
1465 of training substantially equivalent to the standards of
1466 training of those institutions in the United States which are
1467 accredited by an institutional ~~a regional~~ accrediting body
1468 recognized by the Council for Higher Education Accreditation or
1469 its successor organization. Such foreign education and training
1470 must have been received in an institution or program of higher
1471 education officially recognized by the government of the country
1472 in which it is located as an institution or program to train
1473 students to practice as mental health counselors. The applicant
1474 has the burden of establishing that the requirements of this
1475 provision have been met, and the board shall require
1476 documentation, such as an evaluation by a foreign equivalency
1477 determination service, as evidence that the applicant's graduate
1478 degree program and education were equivalent to an accredited
1479 program in this country. Beginning July 1, 2025, an applicant

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1480 must have a master's degree from a program that is accredited by
1481 the Council for Accreditation of Counseling and Related
1482 Educational Programs which consists of at least 60 semester
1483 hours or 80 quarter hours to apply for licensure under this
1484 paragraph.

1485 (c) ~~Has~~ Had at least 2 years of clinical experience in
1486 mental health counseling, which must be at the post-master's
1487 level under the supervision of a licensed mental health
1488 counselor or the equivalent who is a qualified supervisor as
1489 determined by the board. An individual who intends to practice
1490 in Florida to satisfy the clinical experience requirements must
1491 register pursuant to s. 491.0045 before commencing practice. If
1492 a graduate has a master's degree with a major related to the
1493 practice of mental health counseling which did not include all
1494 the coursework required under sub-subparagraphs (b)1.a. and b.,
1495 credit for the post-master's level clinical experience may not
1496 commence until the applicant has completed a minimum of seven of
1497 the courses required under sub-subparagraphs (b)1.a. and b., as
1498 determined by the board, one of which must be a course in
1499 psychopathology or abnormal psychology. A doctoral internship
1500 may be applied toward the clinical experience requirement. A
1501 licensed mental health professional must be on the premises when
1502 clinical services are provided by a registered intern in a
1503 private practice setting. When a registered intern is providing
1504 clinical services through telehealth, a licensed mental health
1505 professional must be accessible by telephone or other electronic
1506 means.

1507 (d) ~~Has~~ Passed a theory and practice examination designated
1508 by department rule ~~provided by the department for this purpose.~~

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1509 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,
1510 knowledge of the laws and rules governing the practice of
1511 clinical social work, marriage and family therapy, and mental
1512 health counseling.

1513 Section 21. This act shall take effect July 1, 2021.