

By the Committee on Health Policy; and 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. 381.0067, F.S.; conforming
24 provisions to changes made by the act; amending s.
25 381.0101, F.S.; revising certification requirements
26 for persons performing evaluations of onsite sewage
27 treatment and disposal systems; making technical
28 changes; amending s. 460.406, F.S.; revising
29 provisions related to chiropractic physician

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30 licensing; amending s. 464.018, F.S.; revising grounds
31 for disciplinary action against licensed nurses;
32 amending s. 466.028, F.S.; revising grounds for
33 disciplinary action by the Board of Dentistry;
34 amending s. 466.0285, F.S.; exempting certain
35 specialty hospitals from prohibitions relating to the
36 employment of dentists and dental hygienists and the
37 control of dental equipment and materials by
38 nondentists; exempting such hospitals from a
39 prohibition on nondentists entering into certain
40 agreements with dentists or dental hygienists; making
41 technical changes; amending s. 467.003, F.S.; revising
42 and defining terms; amending s. 467.009, F.S.;
43 revising provisions related to approved midwifery
44 programs; amending s. 467.011, F.S.; revising
45 provisions relating to licensure of midwives; amending
46 s. 467.0125, F.S.; revising provisions relating to
47 licensure by endorsement of midwives; revising
48 requirements for temporary certificates to practice
49 midwifery in this state; amending s. 467.205, F.S.;
50 revising provisions relating to approval, continued
51 monitoring, probationary status, provisional approval,
52 and approval rescission of midwifery programs;
53 amending s. 468.803, F.S.; revising provisions related
54 to orthotist and prosthetist registration,
55 examination, and licensing; amending s. 483.801, F.S.;
56 exempting certain persons from clinical laboratory
57 personnel regulations; amending s. 483.824, F.S.;
58 revising educational requirements for clinical

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59 laboratory directors; amending s. 490.003, F.S.;

60 defining the terms "doctoral degree from an American

61 Psychological Association accredited program" and

62 "doctoral degree in psychology"; amending ss. 490.005

63 and 490.0051, F.S.; revising education requirements

64 for psychologist licensing and provisional licensing,

65 respectively; amending s. 491.005, F.S.; revising

66 licensing requirements for clinical social workers,

67 marriage and family therapists, and mental health

68 counselors; providing an effective date.

69

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

71

72 Section 1. Subsections (2) and (3) of section 381.0045,

73 Florida Statutes, are amended to read:

74 381.0045 Targeted outreach for pregnant women.—

75 (2) It is the purpose of this section to establish a

76 targeted outreach program for high-risk pregnant women who may

77 not seek proper prenatal care, who suffer from substance abuse

78 or mental health problems, or who have ~~are infected with~~ human

79 immunodeficiency virus (HIV), and to provide these women with

80 links to much needed services and information.

81 (3) The department shall:

82 (a) Conduct outreach programs through contracts with,

83 grants to, or other working relationships with persons or

84 entities where the target population is likely to be found.

85 (b) Provide outreach that is peer-based, culturally

86 sensitive, and performed in a nonjudgmental manner.

87 (c) Encourage high-risk pregnant women of unknown status to

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88 be tested for HIV and other sexually transmissible diseases as
89 specified by department rule.

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

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

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

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

104 (h) Provide continued oversight of ~~to HIV-exposed~~ newborns
105 exposed to HIV to determine the newborn's final HIV status and
106 ensure continued linkage to care if the newborn is diagnosed
107 with HIV.

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

111 381.0061 Administrative fines.—

112 (1) In addition to any administrative action authorized by
113 chapter 120 or by other law, the department may impose a fine,
114 which may not exceed \$500 for each violation, for a violation of
115 s. 381.006(15), ~~s. 381.0065, s. 381.0066,~~ s. 381.0072, ~~or part~~
116 ~~III of chapter 489, for a violation of any rule adopted under~~

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117 this chapter, or ~~for a violation of~~ chapter 386. Notice of
118 intent to impose such fine shall be given by the department to
119 the alleged violator. Each day that a violation continues may
120 constitute a separate violation.

121 Section 3. Section 381.00635, Florida Statutes, is created
122 to read:

123 381.00635 Corrective orders; private and certain public
124 water systems.—When the department or its agents, through
125 investigation, find that any private water system or public
126 water system not covered or included in the Florida Safe
127 Drinking Water Act, part VI of chapter 403, constitutes a
128 nuisance or menace to the public health or significantly
129 degrades the groundwater or surface water, the department or its
130 agents may issue an order requiring the owner to correct the
131 improper condition.

132 Section 4. Section 381.0067, Florida Statutes, is amended
133 to read:

134 ~~381.0067 Corrective orders; private and certain public~~
135 ~~water systems and onsite sewage treatment and disposal systems.—~~
136 ~~When the department or its agents, through investigation, find~~
137 ~~that any private water system, public water system not covered~~
138 ~~or included in the Florida Safe Drinking Water Act (part VI of~~
139 ~~chapter 403), or onsite sewage treatment and disposal system~~
140 ~~constitutes a nuisance or menace to the public health or~~
141 ~~significantly degrades the groundwater or surface water, the~~
142 ~~department or its agents may issue an order requiring the owner~~
143 ~~to correct the improper condition. If the improper condition~~
144 ~~relates to the drainfield of an onsite sewage treatment and~~
145 ~~disposal system, the department or its agents may issue an order~~

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146 requiring the owner to repair or replace the drainfield. If an
147 onsite sewage treatment and disposal system has failed, the
148 department or its agents shall issue an order requiring the
149 owner to replace the system. For purposes of this section, an
150 onsite sewage treatment and disposal system has failed if the
151 operation of the system constitutes a nuisance or menace to the
152 public health or significantly degrades the groundwater or
153 surface water and the system cannot be repaired.

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

156 381.0101 Environmental health professionals.—

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

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

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

171 (4) STANDARDS FOR CERTIFICATION.—The department shall adopt
172 rules that establish definitions of terms and minimum standards
173 of education, training, or experience for those persons subject
174 to this section. The rules must also address the process for

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175 application, examination, issuance, expiration, and renewal of
176 certification and ethical standards of practice for the
177 profession.

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

187 1. All persons who begin employment in a primary
188 environmental health program or an onsite sewage treatment and
189 disposal system program on or after September 21, 1994, must be
190 certified in that program within 6 months after employment.

191 2. Persons employed in the primary environmental health
192 program of a food protection program or an onsite sewage
193 treatment and disposal system program before ~~prior to~~ September
194 21, 1994, are ~~shall be~~ considered certified while employed in
195 that position and are ~~shall be~~ required to adhere to any
196 professional standards established by the department pursuant to
197 paragraph (b), complete any continuing education requirements
198 imposed under paragraph (d), and pay the certificate renewal fee
199 imposed under subsection (6).

200 3. Persons employed in the primary environmental health
201 program of a food protection program or an onsite sewage
202 treatment and disposal system program before ~~prior to~~ September
203 21, 1994, who change positions or program areas and transfer

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204 into another primary environmental health program area on or
205 after September 21, 1994, must be certified in that program
206 within 6 months after such transfer, except that they are ~~will~~
207 not ~~be~~ required to possess the college degree required under
208 paragraph (e).

209 4. Registered sanitarians are ~~shall be~~ considered certified
210 and are ~~shall be~~ required to adhere to any professional
211 standards established by the department pursuant to paragraph
212 (b).

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

216 (c) Those persons conducting primary environmental health
217 evaluations or evaluations of onsite sewage treatment and
218 disposal systems must ~~shall~~ be certified by examination to be
219 knowledgeable in any primary area of environmental health in
220 which they are routinely assigned duties.

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

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

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

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233 Section 6. Subsection (1) of section 460.406, Florida
234 Statutes, is amended to read:

235 460.406 Licensure by examination.—

236 (1) Any person desiring to be licensed as a chiropractic
237 physician must apply to the department to take the licensure
238 examination. There shall be an application fee set by the board
239 not to exceed \$100 which shall be nonrefundable. There shall
240 also be an examination fee not to exceed \$500 plus the actual
241 per applicant cost to the department for purchase of portions of
242 the examination from the National Board of Chiropractic
243 Examiners or a similar national organization, which may be
244 refundable if the applicant is found ineligible to take the
245 examination. The department shall examine each applicant who the
246 board certifies has met all of the following criteria:

247 (a) Completed the application form and remitted the
248 appropriate fee.

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

251 (c) Submitted proof satisfactory to the department that he
252 or she is a graduate of a chiropractic college which is
253 accredited by or has status with the Council on Chiropractic
254 Education or its predecessor agency. However, any applicant who
255 is a graduate of a chiropractic college that was initially
256 accredited by the Council on Chiropractic Education in 1995, who
257 graduated from such college within the 4 years immediately
258 preceding such accreditation, and who is otherwise qualified is
259 ~~shall be~~ eligible to take the examination. An ~~No~~ application for
260 a license to practice chiropractic medicine may not ~~shall~~ be
261 denied solely because the applicant is a graduate of a

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262 chiropractic college that subscribes to one philosophy of
263 chiropractic medicine as distinguished from another.

264 (d)1. For an applicant who has matriculated in a
265 chiropractic college before ~~prior to~~ July 2, 1990, completed at
266 least 2 years of residence college work, consisting of a minimum
267 of one-half the work acceptable for a bachelor's degree granted
268 on the basis of a 4-year period of study, in a college or
269 university accredited by an institutional accrediting agency
270 recognized and approved by the United States Department of
271 Education. However, before ~~prior to~~ being certified by the board
272 to sit for the examination, each applicant who has matriculated
273 in a chiropractic college after July 1, 1990, must ~~shall~~ have
274 been granted a bachelor's degree, based upon 4 academic years of
275 study, by a college or university accredited by an institutional
276 ~~a regional~~ accrediting agency which is a member of the
277 Commission on Recognition of Postsecondary Accreditation.

278 2. Effective July 1, 2000, completed, before ~~prior to~~
279 matriculation in a chiropractic college, at least 3 years of
280 residence college work, consisting of a minimum of 90 semester
281 hours leading to a bachelor's degree in a liberal arts college
282 or university accredited by an institutional accrediting agency
283 recognized and approved by the United States Department of
284 Education. However, before ~~prior to~~ being certified by the board
285 to sit for the examination, each applicant who has matriculated
286 in a chiropractic college after July 1, 2000, must ~~shall~~ have
287 been granted a bachelor's degree from an institution holding
288 accreditation for that degree from an institutional ~~a regional~~
289 accrediting agency which is recognized by the United States
290 Department of Education. The applicant's chiropractic degree

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291 must consist of credits earned in the chiropractic program and
292 may not include academic credit for courses from the bachelor's
293 degree.

294 (e) Successfully completed the National Board of
295 Chiropractic Examiners certification examination in parts I, II,
296 III, and IV, and the physiotherapy examination of the National
297 Board of Chiropractic Examiners, with a score approved by the
298 board.

299 (f) Submitted to the department a set of fingerprints on a
300 form and under procedures specified by the department, along
301 with payment in an amount equal to the costs incurred by the
302 Department of Health for the criminal background check of the
303 applicant.

304

305 The board may require an applicant who graduated from an
306 institution accredited by the Council on Chiropractic Education
307 more than 10 years before the date of application to the board
308 to take the National Board of Chiropractic Examiners Special
309 Purposes Examination for Chiropractic, or its equivalent, as
310 determined by the board. The board shall establish by rule a
311 passing score.

312 Section 7. Paragraph (e) of subsection (1) of section
313 464.018, Florida Statutes, is amended to read:

314 464.018 Disciplinary actions.—

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

318 (e) Having been found guilty of, ~~regardless of~~
319 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,

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320 regardless of adjudication, any offense prohibited under s.
321 435.04 or similar statute of another jurisdiction; or having
322 committed an act which constitutes domestic violence as defined
323 in s. 741.28.

324 Section 8. Paragraph (h) of subsection (1) of section
325 466.028, Florida Statutes, is amended to read:

326 466.028 Grounds for disciplinary action; action by the
327 board.—

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

330 (h) Being employed by any corporation, organization, group,
331 or person other than a dentist, a hospital, or a professional
332 corporation or limited liability company composed of dentists to
333 practice dentistry.

334 Section 9. Section 466.0285, Florida Statutes, is amended
335 to read:

336 466.0285 Proprietorship by nondentists.—

337 (1) A person or an entity ~~No person~~ other than a dentist
338 licensed under pursuant to this chapter, a specialty-licensed
339 children's hospital licensed under chapter 395 as of January 1,
340 2021, or nor any entity other than a professional corporation or
341 limited liability company composed of dentists, may not:

342 (a) Employ a dentist or dental hygienist in the operation
343 of a dental office.

344 (b) Control the use of any dental equipment or material
345 while such equipment or material is being used for the provision
346 of dental services, whether those services are provided by a
347 dentist, a dental hygienist, or a dental assistant.

348 (c) Direct, control, or interfere with a dentist's clinical

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349 judgment. To direct, control, or interfere with a dentist's
350 clinical judgment does not mean ~~may not be interpreted to mean~~
351 dental services contractually excluded, the application of
352 alternative benefits that may be appropriate given the dentist's
353 prescribed course of treatment, or the application of
354 contractual provisions and scope of coverage determinations in
355 comparison with a dentist's prescribed treatment on behalf of a
356 covered person by an insurer, health maintenance organization,
357 or a prepaid limited health service organization.

358
359 Any lease agreement, rental agreement, or other arrangement
360 between a nondentist and a dentist whereby the nondentist
361 provides the dentist with dental equipment or dental materials
362 must ~~shall~~ contain a provision whereby the dentist expressly
363 maintains complete care, custody, and control of the equipment
364 or practice.

365 (2) The purpose of this section is to prevent a nondentist
366 from influencing or otherwise interfering with the exercise of a
367 dentist's independent professional judgment. In addition to the
368 acts specified in subsection (1), a no person or an entity that
369 ~~who~~ is not a dentist licensed under ~~pursuant to~~ this chapter, a
370 specialty-licensed children's hospital licensed under chapter
371 395 as of January 1, 2021, or ~~nor any entity that is not a~~
372 professional corporation or limited liability company composed
373 of dentists may not ~~shall~~ enter into a relationship with a
374 licensee pursuant to which such unlicensed person or such entity
375 exercises control over any of the following:

376 (a) The selection of a course of treatment for a patient,
377 the procedures or materials to be used as part of such course of

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378 treatment, and the manner in which such course of treatment is
379 carried out by the licensee.~~†~~

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

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

383 (d) Decisions relating to office personnel and hours of
384 practice.

385 (3) Any person who violates this section commits a felony
386 of the third degree, punishable as provided in s. 775.082, s.
387 775.083, or s. 775.084.

388 (4) Any contract or arrangement entered into or undertaken
389 in violation of this section is ~~shall be~~ void as contrary to
390 public policy. This section applies to contracts entered into or
391 renewed on or after October 1, 1997.

392 Section 10. Present subsections (13) and (14) of section
393 467.003, Florida Statutes, are redesignated as subsections (14)
394 and (15), respectively, a new subsection (13) is added to that
395 section, and subsections (1) and (12) of that section are
396 amended, to read:

397 467.003 Definitions.—As used in this chapter, unless the
398 context otherwise requires:

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

402 (12) "Preceptor" means a physician licensed under chapter
403 458 or chapter 459, a ~~licensed~~ midwife licensed under this
404 chapter, or a certified nurse midwife licensed under chapter
405 464, who has a minimum of 3 years' professional experience, and
406 who directs, teaches, supervises, and evaluates the learning

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407 experiences of a the student midwife as part of an approved
408 midwifery program.

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

415 Section 11. Section 467.009, Florida Statutes, is amended
416 to read:

417 467.009 Approved midwifery programs; education and training
418 requirements.—

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

422 (a) . The standards shall encompass Clinical and classroom
423 instruction in all aspects of prenatal, intrapartal, and
424 postpartal care, including all of the following:

- 425 1. Obstetrics.†
- 426 2. Neonatal pediatrics.†
- 427 3. Basic sciences.†
- 428 4. Female reproductive anatomy and physiology.†
- 429 5. Behavioral sciences.†
- 430 6. Childbirth education.†
- 431 7. Community care.†
- 432 8. Epidemiology.†
- 433 9. Genetics.†
- 434 10. Embryology.†
- 435 11. Neonatology.†

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- 436 12. Applied pharmacology.~~†~~
- 437 13. The medical and legal aspects of midwifery.~~†~~
- 438 14. Gynecology and women's health.~~†~~
- 439 15. Family planning.~~†~~
- 440 16. Nutrition during pregnancy and lactation.~~†~~
- 441 17. Breastfeeding.~~†~~ and
- 442 18. Basic nursing skills; ~~and any other instruction~~
- 443 ~~determined by the department and council to be necessary.~~
- 444 (b) ~~The standards shall incorporate the~~ Core competencies,
445 incorporating those established by the American College of Nurse
446 Midwives and the Midwives Alliance of North America, including
447 knowledge, skills, and professional behavior in all of the
448 following areas:
- 449 1. Primary management, collaborative management, referral,
450 and medical consultation.~~†~~
- 451 2. Antepartal, intrapartal, postpartal, and neonatal care.~~†~~
- 452 3. Family planning and gynecological care.~~†~~
- 453 4. Common complications.~~†~~ and
- 454 5. Professional responsibilities.
- 455 (c) Noncurricular ~~The standards shall include noncurriculum~~
456 matters under this section, including, but not limited to,
457 staffing and teacher qualifications.
- 458 (2) An approved midwifery program must offer ~~shall include~~
459 a course of study ~~and clinical training~~ for a minimum of 3 years
460 which incorporates all of the standards, curriculum guidelines,
461 and educational objectives provided in this section and the
462 rules adopted hereunder.
- 463 (3) An approved midwifery program may reduce ~~If the~~
464 ~~applicant is a registered nurse or a licensed practical nurse or~~

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465 ~~has previous nursing or midwifery education,~~ the required period
466 of training ~~may be reduced~~ to the extent of the student's
467 ~~applicant's~~ qualifications as a registered nurse or licensed
468 practical nurse or based on prior completion of equivalent
469 nursing or midwifery education, as determined ~~under rules~~
470 ~~adopted by the department~~ rule. ~~In no case shall the training be~~
471 ~~reduced to a period of less than 2 years.~~

472 ~~(4)(3)~~ An approved midwifery program may accept students
473 ~~who To be accepted into an approved midwifery program, an~~
474 ~~applicant shall~~ have both:

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

476 (b) Taken three college-level credits each of math and
477 English or demonstrated competencies in communication and
478 computation.

479 ~~(5)(4)~~ As part of its course of study, an approved
480 midwifery program must require clinical training that includes
481 all of the following:

482 ~~(a) A student midwife, during training, shall undertake,~~
483 ~~under the supervision of a preceptor,~~ The care of 50 women in
484 each of the prenatal, intrapartal, and postpartal periods under
485 the supervision of a preceptor. ~~but~~ The same women need not be
486 seen through all three periods.

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

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

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

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

498 (7) A hospital or birthing center receiving public funds
499 shall be required to provide student midwives access to observe
500 labor, delivery, and postpartal procedures, provided the woman
501 in labor has given informed consent. The Department of Health
502 shall assist in facilitating access to hospital training for
503 approved midwifery programs.

504 (8) ~~(7)~~ The Department of Education shall adopt curricular
505 frameworks for midwifery programs conducted within public
506 educational institutions under ~~pursuant to~~ this section.

507 ~~(8) Nonpublic educational institutions that conduct~~
508 ~~approved midwifery programs shall be accredited by a member of~~
509 ~~the Commission on Recognition of Postsecondary Accreditation and~~
510 ~~shall be licensed by the Commission for Independent Education.~~

511 Section 12. Section 467.011, Florida Statutes, is amended
512 to read:

513 467.011 Licensed midwives; qualifications; examination
514 ~~Licensure by examination.~~

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

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

521 ~~(3)~~ The department shall issue a license to practice
522 midwifery to an applicant who meets all of the following

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523 criteria:

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

526 (a) An approved midwifery program.

527 (b) A medical or midwifery program offered in another
528 state, jurisdiction, territory, or country whose graduation
529 requirements were equivalent to or exceeded those required by s.
530 467.009 and the rules adopted thereunder at the time of
531 graduation.

532 (2) Demonstrates that he or she has and successfully
533 completed a prelicensure course offered by an approved midwifery
534 program. Students graduating from an approved midwifery program
535 may meet this requirement by showing that the content
536 requirements for the prelicensure course were covered as part of
537 their course of study.

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

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

543 Section 13. Section 467.0125, Florida Statutes, is amended
544 to read:

545 467.0125 Licensed midwives; qualifications; ~~Licensure by~~
546 endorsement; temporary certificates.-

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

551 (a) ~~1. Holds a valid certificate or diploma from a foreign~~

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552 ~~institution of medicine or midwifery or from a midwifery program~~
553 ~~offered in another state, bearing the seal of the institution or~~
554 ~~otherwise authenticated, which renders the individual eligible~~
555 ~~to practice midwifery in the country or state in which it was~~
556 ~~issued, provided the requirements therefor are deemed by the~~
557 ~~department to be substantially equivalent to, or to exceed,~~
558 ~~those established under this chapter and rules adopted under~~
559 ~~this chapter, and submits therewith a certified translation of~~
560 ~~the foreign certificate or diploma; or~~

561 2. Holds an active, unencumbered ~~a valid certificate or~~
562 ~~license to practice midwifery in another state, jurisdiction, or~~
563 ~~territory issued by that state, provided the licensing~~
564 ~~requirements of that state, jurisdiction, or territory at the~~
565 ~~time the license was issued were therefor are deemed by the~~
566 ~~department to be substantially equivalent to, or exceeded to~~
567 ~~exceed,~~ those established under this chapter and the rules
568 adopted thereunder ~~under this chapter.~~

569 (b) Has successfully completed a ~~4-month~~ prelicensure
570 course conducted by an approved midwifery program and has
571 ~~submitted documentation to the department of successful~~
572 ~~completion.~~

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

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

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

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

589 1. A county health department;

590 2. A correctional facility;

591 3. A Department of Veterans' Affairs clinic;

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

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

598 (c) Will practice only under the supervision ~~auspices~~ of a
599 physician licensed under ~~pursuant to~~ chapter 458 or chapter 459,
600 a certified nurse midwife licensed under ~~pursuant to~~ part I of
601 chapter 464, or a midwife licensed under this chapter, ~~who has a~~
602 minimum of 3 years' professional experience.

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

605 (a) A requirement that a temporary certificateholder
606 practice only in areas of critical need. The State Surgeon
607 General shall determine the areas of critical need, which ~~Such~~
608 ~~areas shall~~ include, but are not ~~be~~ limited to, health
609 professional shortage areas designated by the United States

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610 Department of Health and Human Services.

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

614 1. Report a new practice area of critical need to the
615 department; or

616 2. Voluntarily relinquish the temporary certificate.

617 (c) The department shall review a temporary
618 certificateholder's practice at least annually to determine
619 whether the certificateholder is meeting the requirements of
620 subsections (2) and (3) and the rules adopted thereunder. If the
621 department determines that a certificateholder is not meeting
622 these requirements, the department must revoke the temporary
623 certificate.

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

628 ~~(e) The department may administer an abbreviated oral~~
629 ~~examination to determine the midwife's competency, but no~~
630 ~~written regular examination shall be necessary.~~

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

636 ~~(e) The department shall review the practice under a~~
637 ~~temporary certificate at least annually to ascertain that the~~
638 ~~minimum requirements of the midwifery rules promulgated under~~

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639 ~~this chapter are being met. If it is determined that the minimum~~
640 ~~requirements are not being met, the department shall immediately~~
641 ~~revoke the temporary certificate.~~

642 ~~(f) The fee for a temporary certificate shall not exceed~~
643 ~~\$50 and shall be in addition to the fee required for licensure.~~

644 Section 14. Section 467.205, Florida Statutes, is amended
645 to read:

646 467.205 Approval of midwifery programs.—

647 (1) The department shall approve an accredited or state-
648 licensed public or private institution seeking to provide
649 midwifery education and training as an approved midwifery
650 program in this state if the institution meets all of the
651 following criteria:

652 (a) Submits an application for approval on a form approved
653 by the department.

654 (b) Demonstrates to the department's satisfaction that the
655 proposed midwifery program complies with s. 467.009 and the
656 rules adopted thereunder.

657 (c) For a private institution, demonstrates its
658 accreditation by a member of the Council for Higher Education
659 Accreditation or an accrediting agency approved by the United
660 States Department of Education and its licensing or provisional
661 licensing by the Commission for Independent Education ~~An~~
662 ~~organization desiring to conduct an approved program for the~~
663 ~~education of midwives shall apply to the department and submit~~
664 ~~such evidence as may be required to show that it complies with~~
665 ~~s. 467.009 and with the rules of the department. Any accredited~~
666 ~~or state-licensed institution of higher learning, public or~~
667 ~~private, may provide midwifery education and training.~~

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668 ~~(2) The department shall adopt rules regarding educational~~
669 ~~objectives, faculty qualifications, curriculum guidelines,~~
670 ~~administrative procedures, and other training requirements as~~
671 ~~are necessary to ensure that approved programs graduate midwives~~
672 ~~competent to practice under this chapter.~~

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

677 (2)(4) The department shall, at least once every 3 years,
678 certify whether each approved midwifery program is currently
679 compliant, and has maintained compliance, ~~complies~~ with the
680 requirements of standards developed under s. 467.009 and the
681 rules adopted thereunder.

682 (3)(5) If the department finds that an approved midwifery
683 program is not in compliance with the requirements of s. 467.009
684 or the rules adopted thereunder, or has lost its accreditation
685 status, the department must provide its finding to the program
686 in writing and no longer meets the required standards, it may
687 place the program on probationary status for a specified period
688 of time, which may not exceed 3 years until such time as the
689 standards are restored.

690 (4) If a program on probationary status does not come into
691 compliance with the requirements of s. 467.009 or the rules
692 adopted thereunder, or regain its accreditation status, as
693 applicable, within the period specified by the department fails
694 to correct these conditions within a specified period of time,
695 the department may rescind the program's approval.

696 (5) A ~~Any~~ program that has ~~having~~ its approval rescinded

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697 ~~has shall have~~ the right to reapply for approval.

698 (6) The department may grant provisional approval of a new
699 program seeking accreditation status, for a period not to exceed
700 5 years, provided that all other requirements of this section
701 are met.

702 (7) The department may rescind provisional approval of a
703 program that fails to the meet the requirements of s. 467.009,
704 this section, or the rules adopted thereunder, in accordance
705 with procedures provided in subsections (3) and (4) may be
706 ~~granted pending the licensure results of the first graduating~~
707 ~~class.~~

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

711 468.803 License, registration, and examination
712 requirements.-

713 (2) An applicant for registration, examination, or
714 licensure must apply to the department on a form prescribed by
715 the board for consideration of board approval. Each initial
716 applicant shall submit ~~a set of~~ fingerprints to the department
717 ~~on a form and~~ under procedures specified by the department,
718 ~~along with payment in an amount equal to the costs incurred by~~
719 ~~the department~~ for state and national criminal history checks of
720 the applicant. ~~The department shall submit the fingerprints~~
721 ~~provided by an applicant to the Department of Law Enforcement~~
722 ~~for a statewide criminal history check, and the Department of~~
723 ~~Law Enforcement shall forward the fingerprints to the Federal~~
724 ~~Bureau of Investigation for a national criminal history check of~~
725 ~~the applicant.~~ The board shall screen the results to determine

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726 if an applicant meets licensure requirements. The board shall
727 consider for examination, registration, or licensure each
728 applicant who the board verifies:

729 (a) Has submitted the completed application and completed
730 the fingerprinting requirements ~~fingerprint forms~~ and has paid
731 the applicable application fee, not to exceed \$500, ~~and the cost~~
732 ~~of the state and national criminal history checks~~. The
733 application fee is ~~and cost of the criminal history checks shall~~
734 ~~be~~ nonrefundable;

735 (b) Is of good moral character;

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

737 (d) Has completed the appropriate educational preparation.

738 (3) A person seeking to attain the orthotics or prosthetics
739 experience required for licensure in this state must be approved
740 by the board and registered as a resident by the department.
741 Although a registration may be held in both disciplines, for
742 independent registrations the board may not approve a second
743 registration until at least 1 year after the issuance of the
744 first registration. Notwithstanding subsection (2), a person who
745 has been approved by the board and registered by the department
746 in one discipline may apply for registration in the second
747 discipline without an additional state or national criminal
748 history check during the period in which the first registration
749 is valid. Each independent registration or dual registration is
750 valid for 2 years after the date of issuance unless otherwise
751 revoked by the department upon recommendation of the board. The
752 board shall set a registration fee not to exceed \$500 to be paid
753 by the applicant. A registration may be renewed once by the
754 department upon recommendation of the board for a period no

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755 longer than 1 year, as such renewal is defined by the board by
756 rule. The renewal fee may not exceed one-half the current
757 registration fee. To be considered by the board for approval of
758 registration as a resident, the applicant must have one of the
759 following:

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

764 (b) A minimum of a bachelor's degree from an
765 institutionally ~~a regionally~~ accredited college or university
766 and a certificate in orthotics or prosthetics from a program
767 recognized by the Commission on Accreditation of Allied Health
768 Education Programs, or its equivalent, as determined by the
769 board.

770 (c) A minimum of a bachelor's degree from an
771 institutionally ~~a regionally~~ accredited college or university
772 and a dual certificate in both orthotics and prosthetics from
773 programs recognized by the Commission on Accreditation of Allied
774 Health Education Programs, or its equivalent, as determined by
775 the board.

776 (4) The department may develop and administer a state
777 examination for an orthotist or a prosthetist license, or the
778 board may approve the existing examination of a national
779 standards organization. The examination must be predicated on a
780 minimum of a baccalaureate-level education and formalized
781 specialized training in the appropriate field. Each examination
782 must demonstrate a minimum level of competence in basic
783 scientific knowledge, written problem solving, and practical

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784 clinical patient management. The board shall require an
785 examination fee not to exceed the actual cost to the board in
786 developing, administering, and approving the examination, which
787 fee must be paid by the applicant. To be considered by the board
788 for examination, the applicant must have:

789 (a) For an examination in orthotics:

790 1. A Bachelor of Science or higher-level postgraduate
791 degree in orthotics and prosthetics from an institutionally ~~a~~
792 ~~regionally~~ accredited college or university recognized by the
793 Commission on Accreditation of Allied Health Education Programs
794 or, at a minimum, a bachelor's degree from an institutionally ~~a~~
795 ~~regionally~~ accredited college or university and a certificate in
796 orthotics from a program recognized by the Commission on
797 Accreditation of Allied Health Education Programs, or its
798 equivalent, as determined by the board; and

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

802 (b) For an examination in prosthetics:

803 1. A Bachelor of Science or higher-level postgraduate
804 degree in orthotics and prosthetics from an institutionally ~~a~~
805 ~~regionally~~ accredited college or university recognized by the
806 Commission on Accreditation of Allied Health Education Programs
807 or, at a minimum, a bachelor's degree from an institutionally ~~a~~
808 ~~regionally~~ accredited college or university and a certificate in
809 prosthetics from a program recognized by the Commission on
810 Accreditation of Allied Health Education Programs, or its
811 equivalent, as determined by the board; and

812 2. An approved prosthetics internship of 1 year of

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813 qualified experience, as determined by the board, or a
814 prosthetic residency or dual residency program recognized by the
815 board.

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

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

820 1. A Bachelor of Science or higher-level postgraduate
821 degree in Orthotics and Prosthetics from an institutionally a
822 ~~regionally~~ accredited college or university recognized by the
823 Commission on Accreditation of Allied Health Education Programs,
824 or a bachelor's degree from an institutionally accredited
825 college or university and ~~with~~ a certificate in orthotics from a
826 program recognized by the Commission on Accreditation of Allied
827 Health Education Programs, or its equivalent, as determined by
828 the board;

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

832 3. Completed the mandatory courses; and

833 4. Passed the state orthotics examination or the board-
834 approved orthotics examination.

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

837 1. A Bachelor of Science or higher-level postgraduate
838 degree in Orthotics and Prosthetics from an institutionally a
839 ~~regionally~~ accredited college or university recognized by the
840 Commission on Accreditation of Allied Health Education Programs,
841 or a bachelor's degree from an institutionally accredited

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842 college or university and ~~with~~ a certificate in prosthetics from
843 a program recognized by the Commission on Accreditation of
844 Allied Health Education Programs, or its equivalent, as
845 determined by the board;

846 2. An internship of 1 year of qualified experience, as
847 determined by the board, or a residency program recognized by
848 the board;

849 3. Completed the mandatory courses; and

850 4. Passed the state prosthetics examination or the board-
851 approved prosthetics examination.

852 Section 16. Subsection (7) is added to section 483.801,
853 Florida Statutes, to read:

854 483.801 Exemptions.—This part applies to all clinical
855 laboratories and clinical laboratory personnel within this
856 state, except:

857 (7) Persons performing alternate-site testing within a
858 hospital or offsite emergency department licensed under chapter
859 395.

860 Section 17. Section 483.824, Florida Statutes, is amended
861 to read:

862 483.824 Qualifications of clinical laboratory director.—A
863 clinical laboratory director must have 4 years of clinical
864 laboratory experience with 2 years of experience in the
865 specialty to be directed or be nationally board certified in the
866 specialty to be directed, and must meet one of the following
867 requirements:

868 (1) Be a physician licensed under chapter 458 or chapter
869 459;

870 (2) Hold an earned doctoral degree in a chemical, physical,

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871 or biological science from an ~~a regionally~~ accredited
872 institution and maintain national certification requirements
873 equal to those required by the federal Health Care Financing
874 Administration; or

875 (3) For the subspecialty of oral pathology, be a physician
876 licensed under chapter 458 or chapter 459 or a dentist licensed
877 under chapter 466.

878 Section 18. Subsection (3) of section 490.003, Florida
879 Statutes, is amended to read:

880 490.003 Definitions.—As used in this chapter:

881 (3) (a) "Doctoral degree from an American Psychological
882 Association accredited program" means ~~Effective July 1, 1999,~~
883 ~~"doctoral-level psychological education" and "doctoral degree in~~
884 ~~psychology" mean~~ a Psy.D., an Ed.D. in psychology, or a Ph.D. in
885 psychology from a psychology program at an educational
886 institution that, at the time the applicant was enrolled and
887 graduated:

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

892 2. (b) Had programmatic accreditation from the American
893 Psychological Association.

894 (b) "Doctoral degree in psychology" means a Psy.D., an
895 Ed.D. in psychology, or a Ph.D. in psychology from a psychology
896 program at an educational institution that, at the time the
897 applicant was enrolled and graduated, had institutional
898 accreditation from an agency recognized and approved by the
899 United States Department of Education or was recognized as a

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900 member in good standing with the Association of Universities and
901 Colleges of Canada.

902 Section 19. Subsection (1) of section 490.005, Florida
903 Statutes, is amended to read:

904 490.005 Licensure by examination.—

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

909 (a) Completed the application form and remitted a
910 nonrefundable application fee not to exceed \$500 and an
911 examination fee set by the board sufficient to cover the actual
912 per applicant cost to the department for development, purchase,
913 and administration of the examination, but not to exceed \$500.

914 (b) Submitted proof satisfactory to the board that the
915 applicant has received:

916 1. A doctoral degree from an American Psychological
917 Association accredited program ~~Doctoral-level psychological~~
918 ~~education;~~ or

919 2. The equivalent of a doctoral degree from an American
920 Psychological Association accredited program ~~doctoral-level~~
921 ~~psychological education, as defined in s. 490.003(3),~~ from a
922 program at a school or university located outside the United
923 States of America which was officially recognized by the
924 government of the country in which it is located as an
925 institution or program to train students to practice
926 professional psychology. The applicant has the burden of
927 establishing that this requirement has been met.

928 (c) Had at least 2 years or 4,000 hours of experience in

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929 the field of psychology in association with or under the
930 supervision of a licensed psychologist meeting the academic and
931 experience requirements of this chapter or the equivalent as
932 determined by the board. The experience requirement may be met
933 by work performed on or off the premises of the supervising
934 psychologist if the off-premises work is not the independent,
935 private practice rendering of psychological services that does
936 not have a psychologist as a member of the group actually
937 rendering psychological services on the premises.

938 (d) Passed the examination. However, an applicant who has
939 obtained a passing score, as established by the board by rule,
940 on the psychology licensure examination designated by the board
941 as the national licensure examination need only pass the Florida
942 law and rules portion of the examination.

943 Section 20. Subsection (1) of section 490.0051, Florida
944 Statutes, is amended to read:

945 490.0051 Provisional licensure; requirements.—

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

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

951 (b) Earned a doctoral degree from an American Psychological
952 Association accredited program in psychology as defined in s.
953 490.003(3).

954 (c) Met any additional requirements established by board
955 rule.

956 Section 21. Subsections (1), (3), and (4) of section
957 491.005, Florida Statutes, are amended to read:

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958 491.005 Licensure by examination.—

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

967 (a) ~~Has~~ Submitted an application and paid the appropriate
968 fee.

969 (b)1. ~~Has~~ Received a doctoral degree in social work from a
970 graduate school of social work which at the time the applicant
971 graduated was accredited by an accrediting agency recognized by
972 the United States Department of Education or ~~has~~ received a
973 master's degree in social work from a graduate school of social
974 work which at the time the applicant graduated:

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

976 b. Was accredited by the Canadian Association of Schools of
977 Social Work; or

978 c. Has been determined to have been a program equivalent to
979 programs approved by the Council on Social Work Education by the
980 Foreign Equivalency Determination Service of the Council on
981 Social Work Education. An applicant who graduated from a program
982 at a university or college outside of the United States or
983 Canada must present documentation of the equivalency
984 determination from the council in order to qualify.

985 2. The applicant's graduate program must have emphasized
986 direct clinical patient or client health care services,

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987 including, but not limited to, coursework in clinical social
988 work, psychiatric social work, medical social work, social
989 casework, psychotherapy, or group therapy. The applicant's
990 graduate program must have included all of the following
991 coursework:

992 a. A supervised field placement which was part of the
993 applicant's advanced concentration in direct practice, during
994 which the applicant provided clinical services directly to
995 clients.

996 b. Completion of 24 semester hours or 32 quarter hours in
997 theory of human behavior and practice methods as courses in
998 clinically oriented services, including a minimum of one course
999 in psychopathology, and no more than one course in research,
1000 taken in a school of social work accredited or approved pursuant
1001 to subparagraph 1.

1002 3. If the course title which appears on the applicant's
1003 transcript does not clearly identify the content of the
1004 coursework, the applicant shall be required to provide
1005 additional documentation, including, but not limited to, a
1006 syllabus or catalog description published for the course.

1007 (c) ~~Has~~ Had at least 2 years of clinical social work
1008 experience, which took place subsequent to completion of a
1009 graduate degree in social work at an institution meeting the
1010 accreditation requirements of this section, under the
1011 supervision of a licensed clinical social worker or the
1012 equivalent who is a qualified supervisor as determined by the
1013 board. An individual who intends to practice in Florida to
1014 satisfy clinical experience requirements must register pursuant
1015 to s. 491.0045 before commencing practice. If the applicant's

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1016 graduate program was not a program which emphasized direct
1017 clinical patient or client health care services as described in
1018 subparagraph (b)2., the supervised experience requirement must
1019 take place after the applicant has completed a minimum of 15
1020 semester hours or 22 quarter hours of the coursework required. A
1021 doctoral internship may be applied toward the clinical social
1022 work experience requirement. A licensed mental health
1023 professional must be on the premises when clinical services are
1024 provided by a registered intern in a private practice setting.
1025 When a registered intern is providing clinical services through
1026 telehealth, a licensed mental health professional must be
1027 accessible by telephone or electronic means.

1028 (d) ~~Has~~ Passed a theory and practice examination designated
1029 by board rule ~~provided by the department for this purpose.~~

1030 (e) ~~Has~~ Demonstrated, in a manner designated by rule of the
1031 board, knowledge of the laws and rules governing the practice of
1032 clinical social work, marriage and family therapy, and mental
1033 health counseling.

1034 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
1035 documentation and payment of a fee not to exceed \$200, as set by
1036 board rule, plus the actual cost of the purchase of the
1037 examination from the Association of Marital and Family Therapy
1038 Regulatory Board, or similar national organization, the
1039 department shall issue a license as a marriage and family
1040 therapist to an applicant who the board certifies has met all of
1041 the following criteria:

1042 (a) ~~Has~~ Submitted an application and paid the appropriate
1043 fee.

1044 (b) 1. Obtained one of the following:

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1045 a. ~~Has~~ A minimum of a master's degree with major emphasis
1046 in marriage and family therapy or a closely related field from a
1047 program accredited by the Commission on Accreditation for
1048 Marriage and Family Therapy Education or from a Florida
1049 university program accredited by the Council for Accreditation
1050 of Counseling and Related Educational Programs.

1051 b. A minimum of a master's degree with an emphasis in
1052 marriage and family therapy with a degree conferred date before
1053 July 1, 2026, from an institutionally accredited Florida college
1054 or university that is not yet accredited by the Commission on
1055 Accreditation for Marriage and Family Therapy Education or the
1056 Council for Accreditation of Counseling and Related Educational
1057 Programs.

1058 2. Completed ~~and~~ graduate courses approved by the Board of
1059 Clinical Social Work, Marriage and Family Therapy, and Mental
1060 Health Counseling.

1061
1062 If the course title that appears on the applicant's transcript
1063 does not clearly identify the content of the coursework, the
1064 applicant shall provide additional documentation, including, but
1065 not limited to, a syllabus or catalog description published for
1066 the course. The required master's degree must have been received
1067 in an institution of higher education that, at the time the
1068 applicant graduated, was fully accredited by an institutional ~~a~~
1069 ~~regional~~ accrediting body recognized by the Commission on
1070 Recognition of Postsecondary Accreditation or publicly
1071 recognized as a member in good standing with the Association of
1072 Universities and Colleges of Canada, or an institution of higher
1073 education located outside the United States and Canada which, at

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1074 the time the applicant was enrolled and at the time the
1075 applicant graduated, maintained a standard of training
1076 substantially equivalent to the standards of training of those
1077 institutions in the United States which are accredited by an
1078 institutional ~~a regional~~ accrediting body recognized by the
1079 Commission on Recognition of Postsecondary Accreditation. Such
1080 foreign education and training must have been received in an
1081 institution or program of higher education officially recognized
1082 by the government of the country in which it is located as an
1083 institution or program to train students to practice as
1084 professional marriage and family therapists or psychotherapists.
1085 The applicant has the burden of establishing that the
1086 requirements of this provision have been met, and the board
1087 shall require documentation, such as an evaluation by a foreign
1088 equivalency determination service, as evidence that the
1089 applicant's graduate degree program and education were
1090 equivalent to an accredited program in this country. An
1091 applicant with a master's degree from a program that did not
1092 emphasize marriage and family therapy may complete the
1093 coursework requirement in a training institution fully
1094 accredited by the Commission on Accreditation for Marriage and
1095 Family Therapy Education recognized by the United States
1096 Department of Education.

1097 (c) ~~Has~~ Had at least 2 years of clinical experience during
1098 which 50 percent of the applicant's clients were receiving
1099 marriage and family therapy services, which must have been ~~be~~ at
1100 the post-master's level under the supervision of a licensed
1101 marriage and family therapist with at least 5 years of
1102 experience, or the equivalent, who is a qualified supervisor as

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1103 determined by the board. An individual who intends to practice
1104 in Florida to satisfy the clinical experience requirements must
1105 register pursuant to s. 491.0045 before commencing practice. If
1106 a graduate has a master's degree with a major emphasis in
1107 marriage and family therapy or a closely related field which did
1108 not include all of the coursework required by paragraph (b),
1109 credit for the post-master's level clinical experience may not
1110 commence until the applicant has completed a minimum of 10 of
1111 the courses required by paragraph (b), as determined by the
1112 board, and at least 6 semester hours or 9 quarter hours of the
1113 course credits must have been completed in the area of marriage
1114 and family systems, theories, or techniques. Within the 2 years
1115 of required experience, the applicant must ~~shall~~ provide direct
1116 individual, group, or family therapy and counseling to cases
1117 including those involving unmarried dyads, married couples,
1118 separating and divorcing couples, and family groups that include
1119 children. A doctoral internship may be applied toward the
1120 clinical experience requirement. A licensed mental health
1121 professional must be on the premises when clinical services are
1122 provided by a registered intern in a private practice setting.
1123 When a registered intern is providing clinical services through
1124 telehealth, a licensed mental health professional must be
1125 accessible by telephone or other electronic means.

1126 (d) ~~Has~~ Passed a theory and practice examination designated
1127 by board rule ~~provided by the department.~~

1128 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,
1129 knowledge of the laws and rules governing the practice of
1130 clinical social work, marriage and family therapy, and mental
1131 health counseling.

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1132

1133 For the purposes of dual licensure, the department shall license
1134 as a marriage and family therapist any person who meets the
1135 requirements of s. 491.0057. Fees for dual licensure may not
1136 exceed those stated in this subsection.

1137 (4) MENTAL HEALTH COUNSELING.—Upon verification of
1138 documentation and payment of a fee not to exceed \$200, as set by
1139 board rule, ~~plus the actual per applicant cost of purchase of~~
1140 ~~the examination from the National Board for Certified Counselors~~
1141 ~~or its successor organization,~~ the department shall issue a
1142 license as a mental health counselor to an applicant who the
1143 board certifies has met all of the following criteria:

1144 (a) ~~Has~~ Submitted an application and paid the appropriate
1145 fee.

1146 (b)1. Obtained ~~Has~~ a minimum of an earned master's degree
1147 from a mental health counseling program accredited by the
1148 Council for the Accreditation of Counseling and Related
1149 Educational Programs which consists of at least 60 semester
1150 hours or 80 quarter hours of clinical and didactic instruction,
1151 including a course in human sexuality and a course in substance
1152 abuse. If the master's degree is earned from a program related
1153 to the practice of mental health counseling which is not
1154 accredited by the Council for the Accreditation of Counseling
1155 and Related Educational Programs, then the coursework and
1156 practicum, internship, or fieldwork must consist of at least 60
1157 semester hours or 80 quarter hours and meet all of the following
1158 requirements:

1159 a. Thirty-three semester hours or 44 quarter hours of
1160 graduate coursework, which must include a minimum of 3 semester

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1161 hours or 4 quarter hours of graduate-level coursework in each of
1162 the following 11 content areas: counseling theories and
1163 practice; human growth and development; diagnosis and treatment
1164 of psychopathology; human sexuality; group theories and
1165 practice; individual evaluation and assessment; career and
1166 lifestyle assessment; research and program evaluation; social
1167 and cultural foundations; substance abuse; and legal, ethical,
1168 and professional standards issues in the practice of mental
1169 health counseling. Courses in research, thesis or dissertation
1170 work, practicums, internships, or fieldwork may not be applied
1171 toward this requirement.

1172 b. A minimum of 3 semester hours or 4 quarter hours of
1173 graduate-level coursework addressing diagnostic processes,
1174 including differential diagnosis and the use of the current
1175 diagnostic tools, such as the current edition of the American
1176 Psychiatric Association's Diagnostic and Statistical Manual of
1177 Mental Disorders. The graduate program must have emphasized the
1178 common core curricular experience.

1179 c. The equivalent, as determined by the board, of at least
1180 700 hours of university-sponsored supervised clinical practicum,
1181 internship, or field experience that includes at least 280 hours
1182 of direct client services, as required in the accrediting
1183 standards of the Council for Accreditation of Counseling and
1184 Related Educational Programs for mental health counseling
1185 programs. This experience may not be used to satisfy the post-
1186 master's clinical experience requirement.

1187 2. ~~Has~~ Provided additional documentation if a course title
1188 that appears on the applicant's transcript does not clearly
1189 identify the content of the coursework. The documentation must

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1190 include, but is not limited to, a syllabus or catalog
1191 description published for the course.
1192
1193 Education and training in mental health counseling must have
1194 been received in an institution of higher education that, at the
1195 time the applicant graduated, was fully accredited by an
1196 institutional ~~a regional~~ accrediting body recognized by the
1197 Council for Higher Education Accreditation or its successor
1198 organization or publicly recognized as a member in good standing
1199 with the Association of Universities and Colleges of Canada, or
1200 an institution of higher education located outside the United
1201 States and Canada which, at the time the applicant was enrolled
1202 and at the time the applicant graduated, maintained a standard
1203 of training substantially equivalent to the standards of
1204 training of those institutions in the United States which are
1205 accredited by an institutional ~~a regional~~ accrediting body
1206 recognized by the Council for Higher Education Accreditation or
1207 its successor organization. Such foreign education and training
1208 must have been received in an institution or program of higher
1209 education officially recognized by the government of the country
1210 in which it is located as an institution or program to train
1211 students to practice as mental health counselors. The applicant
1212 has the burden of establishing that the requirements of this
1213 provision have been met, and the board shall require
1214 documentation, such as an evaluation by a foreign equivalency
1215 determination service, as evidence that the applicant's graduate
1216 degree program and education were equivalent to an accredited
1217 program in this country. Beginning July 1, 2025, an applicant
1218 must have a master's degree from a program that is accredited by

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1219 the Council for Accreditation of Counseling and Related
1220 Educational Programs, the Masters in Psychology and Counseling
1221 Accreditation Council, or an equivalent accrediting body which
1222 consists of at least 60 semester hours or 80 quarter hours to
1223 apply for licensure under this paragraph.

1224 (c) ~~Has~~ Had at least 2 years of clinical experience in
1225 mental health counseling, which must be at the post-master's
1226 level under the supervision of a licensed mental health
1227 counselor or the equivalent who is a qualified supervisor as
1228 determined by the board. An individual who intends to practice
1229 in Florida to satisfy the clinical experience requirements must
1230 register pursuant to s. 491.0045 before commencing practice. If
1231 a graduate has a master's degree with a major related to the
1232 practice of mental health counseling which did not include all
1233 the coursework required under sub-subparagraphs (b)1.a. and b.,
1234 credit for the post-master's level clinical experience may not
1235 commence until the applicant has completed a minimum of seven of
1236 the courses required under sub-subparagraphs (b)1.a. and b., as
1237 determined by the board, one of which must be a course in
1238 psychopathology or abnormal psychology. A doctoral internship
1239 may be applied toward the clinical experience requirement. A
1240 licensed mental health professional must be on the premises when
1241 clinical services are provided by a registered intern in a
1242 private practice setting. When a registered intern is providing
1243 clinical services through telehealth, a licensed mental health
1244 professional must be accessible by telephone or other electronic
1245 means.

1246 (d) ~~Has~~ Passed a theory and practice examination designated
1247 by department rule ~~provided by the department for this purpose.~~

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1248 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,
1249 knowledge of the laws and rules governing the practice of
1250 clinical social work, marriage and family therapy, and mental
1251 health counseling.

1252 Section 22. This act shall take effect July 1, 2021.