

By the Committees on Appropriations; and Health Policy; and
Senator Rodriguez

576-04211-21

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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; creating s. 395.3042, F.S.; requiring the
29 department to send a list of certain providers of

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30 adult cardiovascular services to the medical directors
31 of licensed emergency medical services providers by a
32 specified date each year; requiring the department to
33 develop a sample heart attack-triage assessment tool;
34 requiring the department to post the sample assessment
35 tool on its website and provide a copy of it to all
36 licensed emergency medical services providers;
37 requiring such providers to use an assessment tool
38 substantially similar to the one developed by the
39 department; requiring the medical director of each
40 licensed emergency medical services provider to
41 develop and implement certain protocols for heart
42 attack patients; providing requirements for such
43 protocols; requiring licensed emergency medical
44 services providers to comply with certain provisions;
45 amending s. 401.465, F.S.; defining the term
46 "telecommunicator cardiopulmonary resuscitation
47 training"; requiring certain 911 public safety
48 telecommunicators to receive biannual telecommunicator
49 cardiopulmonary resuscitation training; amending s.
50 408.033, F.S.; authorizing local health councils to
51 collect utilization data from licensed hospitals
52 within their respective local health council districts
53 for a specified purpose; amending s. 456.47, F.S.;
54 authorizing telehealth providers to prescribe
55 specified controlled substances through telehealth
56 under certain circumstances; amending s. 460.406,
57 F.S.; revising provisions related to chiropractic
58 physician licensing; amending s. 464.008, F.S.;

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59 deleting a requirement that certain nursing program
60 graduates complete a specified preparatory course;
61 amending s. 464.018, F.S.; revising grounds for
62 disciplinary action against licensed nurses; amending
63 s. 465.1893, F.S.; providing additional long-acting
64 medications that pharmacists may administer under
65 certain circumstances; revising requirements for a
66 continuing education course such pharmacists must
67 complete; amending s. 466.028, F.S.; revising grounds
68 for disciplinary action by the Board of Dentistry;
69 amending s. 466.0285, F.S.; exempting certain
70 specialty hospitals from prohibitions relating to the
71 employment of dentists and dental hygienists and the
72 control of dental equipment and materials by
73 nondentists; exempting such hospitals from a
74 prohibition on nondentists entering into certain
75 agreements with dentists or dental hygienists; making
76 technical changes; amending s. 467.003, F.S.; revising
77 and defining terms; amending s. 467.009, F.S.;
78 revising provisions related to approved midwifery
79 programs; amending s. 467.011, F.S.; revising
80 provisions relating to licensure of midwives; amending
81 s. 467.0125, F.S.; revising provisions relating to
82 licensure by endorsement of midwives; revising
83 requirements for temporary certificates to practice
84 midwifery in this state; amending s. 467.205, F.S.;
85 revising provisions relating to approval, continued
86 monitoring, probationary status, provisional approval,
87 and approval rescission of midwifery programs;

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88 amending s. 468.803, F.S.; revising provisions related
89 to orthotist and prosthetist registration,
90 examination, and licensing; amending s. 483.801, F.S.;
91 exempting certain persons from clinical laboratory
92 personnel regulations; amending s. 483.824, F.S.;
93 revising educational requirements for clinical
94 laboratory directors; amending s. 490.003, F.S.;
95 defining the terms "doctoral degree from an American
96 Psychological Association accredited program" and
97 "doctoral degree in psychology"; amending ss. 490.005
98 and 490.0051, F.S.; revising education requirements
99 for psychologist licensing and provisional licensing,
100 respectively; amending s. 491.005, F.S.; revising
101 licensing requirements for clinical social workers,
102 marriage and family therapists, and mental health
103 counselors; providing an effective date.

104
105 Be It Enacted by the Legislature of the State of Florida:

106
107 Section 1. Subsections (2) and (3) of section 381.0045,
108 Florida Statutes, are amended to read:

109 381.0045 Targeted outreach for pregnant women.—

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

116 (3) The department shall:

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

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

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

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

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

132 (f) Link women with substance abuse treatment and mental
133 health services, when available, and act as a liaison with
134 Healthy Start coalitions, children's medical services, Ryan
135 White-funded providers, and other services of the Department of
136 Health.

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

139 (h) Provide continued oversight of ~~to HIV-exposed~~ newborns
140 exposed to HIV to determine the newborn's final HIV status and
141 ensure continued linkage to care if the newborn is diagnosed
142 with HIV.

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

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146 381.0061 Administrative fines.—

147 (1) In addition to any administrative action authorized by
148 chapter 120 or by other law, the department may impose a fine,
149 which may not exceed \$500 for each violation, for a violation of
150 s. 381.006(15), ~~s. 381.0065, s. 381.0066,~~ s. 381.0072, ~~or part~~
151 ~~III of chapter 489, for a violation of~~ any rule adopted under
152 this chapter, or ~~for a violation of~~ chapter 386. Notice of
153 intent to impose such fine shall be given by the department to
154 the alleged violator. Each day that a violation continues may
155 constitute a separate violation.

156 Section 3. Section 381.00635, Florida Statutes, is created
157 to read:

158 381.00635 Corrective orders; private and certain public
159 water systems.—When the department or its agents, through
160 investigation, find that any private water system or public
161 water system not covered or included in the Florida Safe
162 Drinking Water Act, part VI of chapter 403, constitutes a
163 nuisance or menace to the public health or significantly
164 degrades the groundwater or surface water, the department or its
165 agents may issue an order requiring the owner to correct the
166 improper condition.

167 Section 4. Section 381.0067, Florida Statutes, is amended
168 to read:

169 ~~381.0067 Corrective orders; private and certain public~~
170 ~~water systems and onsite sewage treatment and disposal systems.—~~
171 ~~When the department or its agents, through investigation, find~~
172 ~~that any private water system, public water system not covered~~
173 ~~or included in the Florida Safe Drinking Water Act (part VI of~~
174 ~~chapter 403), or onsite sewage treatment and disposal system~~

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175 constitutes a nuisance or menace to the public health or
176 significantly degrades the groundwater or surface water, the
177 department or its agents may issue an order requiring the owner
178 to correct the improper condition. If the improper condition
179 relates to the drainfield of an onsite sewage treatment and
180 disposal system, the department or its agents may issue an order
181 requiring the owner to repair or replace the drainfield. If an
182 onsite sewage treatment and disposal system has failed, the
183 department or its agents shall issue an order requiring the
184 owner to replace the system. For purposes of this section, an
185 onsite sewage treatment and disposal system has failed if the
186 operation of the system constitutes a nuisance or menace to the
187 public health or significantly degrades the groundwater or
188 surface water and the system cannot be repaired.

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

191 381.0101 Environmental health professionals.—

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

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

200 (b) Persons performing site evaluations in order to
201 determine proper placement and installation of onsite sewage
202 ~~wastewater~~ treatment and disposal systems who have successfully
203 completed a department-approved soils morphology course and who

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204 are working under the direct responsible charge of an engineer
205 licensed under chapter 471.

206 (4) STANDARDS FOR CERTIFICATION.—The department shall adopt
207 rules that establish definitions of terms and minimum standards
208 of education, training, or experience for those persons subject
209 to this section. The rules must also address the process for
210 application, examination, issuance, expiration, and renewal of
211 certification and ethical standards of practice for the
212 profession.

213 (a) Persons employed as environmental health professionals
214 shall exhibit a knowledge of rules and principles of
215 environmental and public health law in Florida through
216 examination. A person may not conduct environmental health
217 evaluations in a primary program area or an onsite sewage
218 treatment and disposal program under ss. 381.0065 and 381.00651
219 unless he or she is currently certified in that program area or
220 works under the direct supervision of a certified environmental
221 health professional.

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

226 2. Persons employed in the primary environmental health
227 program of a food protection program or an onsite sewage
228 treatment and disposal system program before ~~prior to~~ September
229 21, 1994, are ~~shall be~~ considered certified while employed in
230 that position and are ~~shall be~~ required to adhere to any
231 professional standards established by the department pursuant to
232 paragraph (b), complete any continuing education requirements

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233 imposed under paragraph (d), and pay the certificate renewal fee
234 imposed under subsection (6).

235 3. Persons employed in the primary environmental health
236 program of a food protection program or an onsite sewage
237 treatment and disposal system program before ~~prior to~~ September
238 21, 1994, who change positions or program areas and transfer
239 into another primary environmental health program area on or
240 after September 21, 1994, must be certified in that program
241 within 6 months after such transfer, except that they are ~~will~~
242 not ~~be~~ required to possess the college degree required under
243 paragraph (e).

244 4. Registered sanitarians are ~~shall be~~ considered certified
245 and are ~~shall be~~ required to adhere to any professional
246 standards established by the department pursuant to paragraph
247 (b).

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

251 (c) Those persons conducting primary environmental health
252 evaluations or evaluations of onsite sewage treatment and
253 disposal systems must ~~shall~~ be certified by examination to be
254 knowledgeable in any primary area of environmental health in
255 which they are routinely assigned duties.

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

261 (e) Applicants for certification must ~~shall~~ have graduated

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262 from an accredited 4-year college or university with a degree or
263 major coursework in public health, environmental health,
264 environmental science, or a physical or biological science.

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

268 Section 6. Section 395.3042, Florida Statutes, is created
269 to read:

270 395.3042 Emergency medical services providers; triage and
271 transportation of heart attack victims to an adult
272 cardiovascular services provider.-

273 (1) By June 1 of each year, the department shall send a
274 list of providers of Level I and Level II adult cardiovascular
275 services to the medical director of each licensed emergency
276 medical services provider in this state.

277 (2) The department shall develop a sample heart attack-
278 triage assessment tool. The department shall post this sample
279 assessment tool on its website and provide a copy of the
280 assessment tool to each licensed emergency medical services
281 provider. Each licensed emergency medical services provider
282 shall use a heart attack-triage assessment tool that is
283 substantially similar to the sample heart attack-triage
284 assessment tool provided by the department.

285 (3) The medical director of each licensed emergency medical
286 services provider shall develop and implement assessment,
287 treatment, and transport-destination protocols for heart attack
288 patients with the intent to assess, treat, and transport heart
289 attack patients to the most appropriate hospital. Such protocols
290 must include the development and implementation of plans for the

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291 triage and transport of patients with acute heart attack
292 symptoms.

293 (4) Each emergency medical services provider licensed under
294 chapter 401 must comply with this section.

295 Section 7. Present subsections (3) and (4) of section
296 401.465, Florida Statutes, are redesignated as subsections (4)
297 and (5), respectively, paragraph (d) is added to subsection (1)
298 and a new subsection (3) is added to that section, and
299 paragraphs (d) and (j) of subsection (2) of that section are
300 amended, to read:

301 401.465 911 public safety telecommunicator certification.-

302 (1) DEFINITIONS.-As used in this section, the term:

303 (d) "Telecommunicator cardiopulmonary resuscitation
304 training" means specific training, including continuous
305 education, that is evidence based and contains nationally
306 accepted guidelines for high-quality telecommunicator
307 cardiopulmonary resuscitation with the recognition of out-of-
308 hospital cardiac arrest over the telephone and the delivery of
309 telephonic instructions for treating cardiac arrest and
310 performing compression-only cardiopulmonary resuscitation.

311 (2) PERSONNEL; STANDARDS AND CERTIFICATION.-

312 (d) The department shall determine whether the applicant
313 meets the requirements specified in this section and in rules of
314 the department and shall issue a certificate to any person who
315 meets such requirements. Such requirements must include the
316 following:

317 1. Completion of an appropriate 911 public safety
318 telecommunication training program;

319 2. Certification under oath that the applicant is not

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320 addicted to alcohol or any controlled substance;

321 3. Certification under oath that the applicant is free from
322 any physical or mental defect or disease that might impair the
323 applicant's ability to perform his or her duties;

324 4. Submission of the application fee prescribed in
325 subsection (4) ~~(3)~~;

326 5. Submission of a completed application to the department
327 which indicates compliance with subparagraphs 1., 2., and 3.;

328 and

329 6. Effective October 1, 2012, passage of an examination
330 approved by the department which measures the applicant's
331 competency and proficiency in the subject material of the public
332 safety telecommunication training program.

333 (j)1. The requirement for certification as a 911 public
334 safety telecommunicator is waived for a person employed as a
335 sworn state-certified law enforcement officer, provided the
336 officer:

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

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

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

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

348 3. The testing required under this paragraph is exempt from

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349 the examination fee required under subsection (4) ~~(3)~~.

350 (3) TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION
351 TRAINING.—In addition to the certification and recertification
352 requirements imposed by this section, 911 public safety
353 telecommunicators who take telephone calls and provide dispatch
354 functions for emergency medical conditions also shall receive
355 telecommunicator cardiopulmonary resuscitation training every 2
356 years.

357 Section 8. Paragraph (h) is added to subsection (1) of
358 section 408.033, Florida Statutes, to read:

359 408.033 Local and state health planning.—

360 (1) LOCAL HEALTH COUNCILS.—

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

365 Section 9. Paragraph (c) of subsection (2) of section
366 456.47, Florida Statutes, is amended to read:

367 456.47 Use of telehealth to provide services.—

368 (2) PRACTICE STANDARDS.—

369 (c) A telehealth provider, acting within the scope of his
370 or her practice and in accordance with chapter 893, may ~~not~~ use
371 telehealth to prescribe a controlled substance listed in
372 Schedule III, Schedule IV, or Schedule V of s. 893.03 and may
373 use telehealth to prescribe a controlled substance listed in
374 Schedule II of s. 893.03 if ~~unless~~ the controlled substance is
375 prescribed for the following:

376 1. The treatment of a psychiatric disorder;

377 2. Inpatient treatment at a hospital licensed under chapter

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378 395;

379 3. The treatment of a patient receiving hospice services as
380 defined in s. 400.601; ~~or~~

381 4. The treatment of a resident of a nursing home facility
382 as defined in s. 400.021; or

383 5. The treatment of a postoperative patient's acute pain
384 resulting from surgery within 14 days after the surgery has been
385 performed, in accordance with the prescription supply
386 requirements of s. 456.44(5).

387 Section 10. Subsection (1) of section 460.406, Florida
388 Statutes, is amended to read:

389 460.406 Licensure by examination.—

390 (1) Any person desiring to be licensed as a chiropractic
391 physician must apply to the department to take the licensure
392 examination. There shall be an application fee set by the board
393 not to exceed \$100 which shall be nonrefundable. There shall
394 also be an examination fee not to exceed \$500 plus the actual
395 per applicant cost to the department for purchase of portions of
396 the examination from the National Board of Chiropractic
397 Examiners or a similar national organization, which may be
398 refundable if the applicant is found ineligible to take the
399 examination. The department shall examine each applicant who the
400 board certifies has met all of the following criteria:

401 (a) Completed the application form and remitted the
402 appropriate fee.

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

405 (c) Submitted proof satisfactory to the department that he
406 or she is a graduate of a chiropractic college which is

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407 accredited by or has status with the Council on Chiropractic
408 Education or its predecessor agency. However, any applicant who
409 is a graduate of a chiropractic college that was initially
410 accredited by the Council on Chiropractic Education in 1995, who
411 graduated from such college within the 4 years immediately
412 preceding such accreditation, and who is otherwise qualified is
413 ~~shall be~~ eligible to take the examination. An ~~No~~ application for
414 a license to practice chiropractic medicine may not ~~shall~~ be
415 denied solely because the applicant is a graduate of a
416 chiropractic college that subscribes to one philosophy of
417 chiropractic medicine as distinguished from another.

418 (d)1. For an applicant who has matriculated in a
419 chiropractic college before ~~prior to~~ July 2, 1990, completed at
420 least 2 years of residence college work, consisting of a minimum
421 of one-half the work acceptable for a bachelor's degree granted
422 on the basis of a 4-year period of study, in a college or
423 university accredited by an institutional accrediting agency
424 recognized and approved by the United States Department of
425 Education. However, before ~~prior to~~ being certified by the board
426 to sit for the examination, each applicant who has matriculated
427 in a chiropractic college after July 1, 1990, must ~~shall~~ have
428 been granted a bachelor's degree, based upon 4 academic years of
429 study, by a college or university accredited by an institutional
430 ~~a regional~~ accrediting agency which is a member of the
431 Commission on Recognition of Postsecondary Accreditation.

432 2. Effective July 1, 2000, completed, before ~~prior to~~
433 matriculation in a chiropractic college, at least 3 years of
434 residence college work, consisting of a minimum of 90 semester
435 hours leading to a bachelor's degree in a liberal arts college

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436 or university accredited by an institutional accrediting agency
437 recognized and approved by the United States Department of
438 Education. However, before ~~prior to~~ being certified by the board
439 to sit for the examination, each applicant who has matriculated
440 in a chiropractic college after July 1, 2000, must ~~shall~~ have
441 been granted a bachelor's degree from an institution holding
442 accreditation for that degree from an institutional ~~a regional~~
443 accrediting agency which is recognized by the United States
444 Department of Education. The applicant's chiropractic degree
445 must consist of credits earned in the chiropractic program and
446 may not include academic credit for courses from the bachelor's
447 degree.

448 (e) Successfully completed the National Board of
449 Chiropractic Examiners certification examination in parts I, II,
450 III, and IV, and the physiotherapy examination of the National
451 Board of Chiropractic Examiners, with a score approved by the
452 board.

453 (f) Submitted to the department a set of fingerprints on a
454 form and under procedures specified by the department, along
455 with payment in an amount equal to the costs incurred by the
456 Department of Health for the criminal background check of the
457 applicant.

458
459 The board may require an applicant who graduated from an
460 institution accredited by the Council on Chiropractic Education
461 more than 10 years before the date of application to the board
462 to take the National Board of Chiropractic Examiners Special
463 Purposes Examination for Chiropractic, or its equivalent, as
464 determined by the board. The board shall establish by rule a

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465 passing score.

466 Section 11. Subsection (4) of section 464.008, Florida
467 Statutes, is amended to read:

468 464.008 Licensure by examination.—

469 ~~(4) If an applicant who graduates from an approved program~~
470 ~~does not take the licensure examination within 6 months after~~
471 ~~graduation, he or she must enroll in and successfully complete a~~
472 ~~board-approved licensure examination preparatory course. The~~
473 ~~applicant is responsible for all costs associated with the~~
474 ~~course and may not use state or federal financial aid for such~~
475 ~~costs. The board shall by rule establish guidelines for~~
476 ~~licensure examination preparatory courses.~~

477 Section 12. Paragraph (e) of subsection (1) of section
478 464.018, Florida Statutes, is amended to read:

479 464.018 Disciplinary actions.—

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

483 (e) Having been found guilty of, ~~regardless of~~
484 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,
485 regardless of adjudication, any offense prohibited under s.
486 435.04 or similar statute of another jurisdiction; or having
487 committed an act which constitutes domestic violence as defined
488 in s. 741.28.

489 Section 13. Section 465.1893, Florida Statutes, is amended
490 to read:

491 465.1893 Administration of long-acting antipsychotic
492 medication by injection.—

493 (1) (a) A pharmacist, at the direction of a physician

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494 licensed under chapter 458 or chapter 459, may administer a
495 long-acting antipsychotic medication or an extended-release
496 medication indicated to treat opioid use disorder, alcohol use
497 disorder, or other substance use disorders or dependencies,
498 including, but not limited to, buprenorphine, naltrexone, or
499 other medications that have been approved by the United States
500 Food and Drug Administration by injection to a patient if the
501 pharmacist:

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

504 2. Practices at a facility that accommodates privacy for
505 nondeltoid injections and conforms with state rules and
506 regulations regarding the appropriate and safe disposal of
507 medication and medical waste.

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

509 (b) A separate prescription from a physician is required
510 for each injection administered by a pharmacist under this
511 subsection.

512 (2) (a) A pharmacist seeking to administer a ~~long-acting~~
513 ~~antipsychotic~~ medication described in paragraph (1) (a) by
514 ~~injection~~ must complete an 8-hour continuing education course
515 offered by:

516 1. A statewide professional association of physicians in
517 this state accredited to provide educational activities
518 designated for the American Medical Association Physician's
519 Recognition Award (AMA PRA) Category 1 Credit or the American
520 Osteopathic Association (AOA) Category 1-A continuing medical
521 education (CME) credit; and

522 2. A statewide association of pharmacists.

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523 (b) The course may be offered in a distance learning format
524 and must be included in the 30 hours of continuing professional
525 pharmaceutical education required under s. 465.009(1). The
526 course shall have a curriculum of instruction that concerns the
527 safe and effective administration of behavioral health,
528 addiction, and antipsychotic medications by injection,
529 including, but not limited to, potential allergic reactions to
530 such medications.

531 Section 14. Paragraph (h) of subsection (1) of section
532 466.028, Florida Statutes, is amended to read:

533 466.028 Grounds for disciplinary action; action by the
534 board.—

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

537 (h) Being employed by any corporation, organization, group,
538 or person other than a dentist, a hospital, or a professional
539 corporation or limited liability company composed of dentists to
540 practice dentistry.

541 Section 15. Section 466.0285, Florida Statutes, is amended
542 to read:

543 466.0285 Proprietorship by nondentists.—

544 (1) A person or an entity ~~No person~~ other than a dentist
545 licensed under ~~pursuant to~~ this chapter, a specialty-licensed
546 children's hospital licensed under chapter 395 as of January 1,
547 2021, or ~~nor any entity other than~~ a professional corporation or
548 limited liability company composed of dentists, may not:

549 (a) Employ a dentist or dental hygienist in the operation
550 of a dental office.

551 (b) Control the use of any dental equipment or material

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552 while such equipment or material is being used for the provision
553 of dental services, whether those services are provided by a
554 dentist, a dental hygienist, or a dental assistant.

555 (c) Direct, control, or interfere with a dentist's clinical
556 judgment. To direct, control, or interfere with a dentist's
557 clinical judgment does not mean ~~may not be interpreted to mean~~
558 dental services contractually excluded, the application of
559 alternative benefits that may be appropriate given the dentist's
560 prescribed course of treatment, or the application of
561 contractual provisions and scope of coverage determinations in
562 comparison with a dentist's prescribed treatment on behalf of a
563 covered person by an insurer, health maintenance organization,
564 or a prepaid limited health service organization.

565
566 Any lease agreement, rental agreement, or other arrangement
567 between a nondentist and a dentist whereby the nondentist
568 provides the dentist with dental equipment or dental materials
569 must ~~shall~~ contain a provision whereby the dentist expressly
570 maintains complete care, custody, and control of the equipment
571 or practice.

572 (2) The purpose of this section is to prevent a nondentist
573 from influencing or otherwise interfering with the exercise of a
574 dentist's independent professional judgment. In addition to the
575 acts specified in subsection (1), a no person or an entity that
576 ~~who~~ is not a dentist licensed under pursuant to this chapter, a
577 specialty-licensed children's hospital licensed under chapter
578 395 as of January 1, 2021, or nor any entity that is not a
579 professional corporation or limited liability company composed
580 of dentists may not ~~shall~~ enter into a relationship with a

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581 licensee pursuant to which such unlicensed person or such entity
582 exercises control over any of the following:

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

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

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

590 (d) Decisions relating to office personnel and hours of
591 practice.

592 (3) Any person who violates this section commits a felony
593 of the third degree, punishable as provided in s. 775.082, s.
594 775.083, or s. 775.084.

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

599 Section 16. Present subsections (13) and (14) of section
600 467.003, Florida Statutes, are redesignated as subsections (14)
601 and (15), respectively, a new subsection (13) is added to that
602 section, and subsections (1) and (12) of that section are
603 amended, to read:

604 467.003 Definitions.—As used in this chapter, unless the
605 context otherwise requires:

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

609 (12) "Preceptor" means a physician licensed under chapter

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610 458 or chapter 459, a ~~licensed~~ midwife licensed under this
611 chapter, or a certified nurse midwife licensed under chapter
612 464, who has a minimum of 3 years' professional experience, and
613 who directs, teaches, supervises, and evaluates the learning
614 experiences of ~~a the~~ student midwife as part of an approved
615 midwifery program.

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

622 Section 17. Section 467.009, Florida Statutes, is amended
623 to read:

624 467.009 Approved midwifery programs; education and training
625 requirements.—

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

629 (a) . ~~The standards shall encompass~~ Clinical and classroom
630 instruction in all aspects of prenatal, intrapartal, and
631 postpartal care, including all of the following:

632 1. Obstetrics.

633 2. Neonatal pediatrics.

634 3. Basic sciences.

635 4. Female reproductive anatomy and physiology.

636 5. Behavioral sciences.

637 6. Childbirth education.

638 7. Community care.

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- 639 8. Epidemiology.~~†~~
 640 9. Genetics.~~†~~
 641 10. Embryology.~~†~~
 642 11. Neonatology.~~†~~
 643 12. Applied pharmacology.~~†~~
 644 13. The medical and legal aspects of midwifery.~~†~~
 645 14. Gynecology and women's health.~~†~~
 646 15. Family planning.~~†~~
 647 16. Nutrition during pregnancy and lactation.~~†~~
 648 17. Breastfeeding.~~†~~ and
 649 18. Basic nursing skills; ~~and any other instruction~~
 650 ~~determined by the department and council to be necessary.~~

651 (b) ~~The standards shall incorporate the Core competencies,~~
 652 incorporating those established by the American College of Nurse
 653 Midwives and the Midwives Alliance of North America, including
 654 knowledge, skills, and professional behavior in all of the
 655 following areas:

- 656 1. Primary management, collaborative management, referral,
 657 and medical consultation.~~†~~
 658 2. Antepartal, intrapartal, postpartal, and neonatal care.~~†~~
 659 3. Family planning and gynecological care.~~†~~
 660 4. Common complications.~~†~~ and
 661 5. Professional responsibilities.

662 (c) Noncurricular ~~The standards shall include noneurriculum~~
 663 matters under this section, including, but not limited to,
 664 staffing and teacher qualifications.

665 (2) An approved midwifery program must offer ~~shall include~~
 666 a course of study ~~and clinical training~~ for a minimum of 3 years
 667 which incorporates all of the standards, curriculum guidelines,

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668 and educational objectives provided in this section and the
669 rules adopted hereunder.

670 (3) An approved midwifery program may reduce ~~If the~~
671 ~~applicant is a registered nurse or a licensed practical nurse or~~
672 ~~has previous nursing or midwifery education,~~ the required period
673 of training ~~may be reduced~~ to the extent of the student's
674 applicant's qualifications as a registered nurse or licensed
675 practical nurse or based on prior completion of equivalent
676 nursing or midwifery education, as determined ~~under rules~~
677 ~~adopted by the department rule.~~ ~~In no case shall the training be~~
678 ~~reduced to a period of less than 2 years.~~

679 (4) ~~(3)~~ An approved midwifery program may accept students
680 who ~~To be accepted into an approved midwifery program, an~~
681 ~~applicant shall have~~ both:

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

683 (b) Taken three college-level credits each of math and
684 English or demonstrated competencies in communication and
685 computation.

686 (5) ~~(4)~~ As part of its course of study, an approved
687 midwifery program must require clinical training that includes
688 all of the following:

689 (a) ~~A student midwife, during training, shall undertake,~~
690 ~~under the supervision of a preceptor,~~ The care of 50 women in
691 each of the prenatal, intrapartal, and postpartal periods under
692 the supervision of a preceptor. ~~but~~ The same women need not be
693 seen through all three periods.

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

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

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

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

705 (7) A hospital or birthing center receiving public funds
706 shall be required to provide student midwives access to observe
707 labor, delivery, and postpartal procedures, provided the woman
708 in labor has given informed consent. The Department of Health
709 shall assist in facilitating access to hospital training for
710 approved midwifery programs.

711 (8) ~~(7)~~ The Department of Education shall adopt curricular
712 frameworks for midwifery programs conducted within public
713 educational institutions under ~~pursuant to~~ this section.

714 ~~(8) Nonpublic educational institutions that conduct~~
715 ~~approved midwifery programs shall be accredited by a member of~~
716 ~~the Commission on Recognition of Postsecondary Accreditation and~~
717 ~~shall be licensed by the Commission for Independent Education.~~

718 Section 18. Section 467.011, Florida Statutes, is amended
719 to read:

720 467.011 Licensed midwives; qualifications; examination
721 ~~Licensure by examination.~~

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

725 ~~(2) The department shall develop, publish, and make~~

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726 ~~available to interested parties at a reasonable cost a~~
727 ~~bibliography and guide for the examination.~~

728 ~~(3)~~ The department shall issue a license to practice
729 midwifery to an applicant who meets all of the following
730 criteria:

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

733 (a) An approved midwifery program.

734 (b) A medical or midwifery program offered in another
735 state, jurisdiction, territory, or country whose graduation
736 requirements were equivalent to or exceeded those required by s.
737 467.009 and the rules adopted thereunder at the time of
738 graduation.

739 (2) Demonstrates that he or she has and successfully
740 completed a prelicensure course offered by an approved midwifery
741 program. Students graduating from an approved midwifery program
742 may meet this requirement by showing that the content
743 requirements for the prelicensure course were covered as part of
744 their course of study.

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

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

750 Section 19. Section 467.0125, Florida Statutes, is amended
751 to read:

752 467.0125 Licensed midwives; qualifications; Licensure by
753 endorsement; temporary certificates.-

754 (1) The department shall issue a license by endorsement to

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755 practice midwifery to an applicant who, upon applying to the
756 department, demonstrates to the department that she or he meets
757 all of the following criteria:

758 (a) ~~1. Holds a valid certificate or diploma from a foreign~~
759 ~~institution of medicine or midwifery or from a midwifery program~~
760 ~~offered in another state, bearing the seal of the institution or~~
761 ~~otherwise authenticated, which renders the individual eligible~~
762 ~~to practice midwifery in the country or state in which it was~~
763 ~~issued, provided the requirements therefor are deemed by the~~
764 ~~department to be substantially equivalent to, or to exceed,~~
765 ~~those established under this chapter and rules adopted under~~
766 ~~this chapter, and submits therewith a certified translation of~~
767 ~~the foreign certificate or diploma; or~~

768 2. Holds an active, unencumbered ~~a valid certificate or~~
769 ~~license to practice midwifery in another state, jurisdiction, or~~
770 ~~territory issued by that state, provided the licensing~~
771 ~~requirements of that state, jurisdiction, or territory at the~~
772 ~~time the license was issued were therefor are deemed by the~~
773 ~~department to be substantially equivalent to, or exceeded to~~
774 ~~exceed, those established under this chapter and the rules~~
775 ~~adopted thereunder under this chapter.~~

776 (b) Has successfully completed a ~~4-month~~ prelicensure
777 course conducted by an approved midwifery program ~~and has~~
778 ~~submitted documentation to the department of successful~~
779 ~~completion.~~

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

783 (2) The department may issue a temporary certificate to

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784 practice in areas of critical need to an applicant ~~any midwife~~
785 who is qualifying for a midwifery license ~~licensure by~~
786 ~~endorsement~~ under subsection (1) who meets all of the following
787 criteria, ~~with the following restrictions:~~

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

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

796 1. A county health department;

797 2. A correctional facility;

798 3. A Department of Veterans' Affairs clinic;

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

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

805 (c) Will practice only under the supervision ~~auspices~~ of a
806 physician licensed under ~~pursuant to~~ chapter 458 or chapter 459,
807 a certified nurse midwife licensed under ~~pursuant to~~ part I of
808 chapter 464, or a midwife licensed under this chapter, ~~who has a~~
809 minimum of 3 years' professional experience.

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

812 (a) A requirement that a temporary certificateholder

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813 practice only in areas of critical need. The State Surgeon
814 General shall determine the areas of critical need, which ~~Such~~
815 ~~areas shall~~ include, but are not ~~be~~ limited to, health
816 professional shortage areas designated by the United States
817 Department of Health and Human Services.

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

821 1. Report a new practice area of critical need to the
822 department; or

823 2. Voluntarily relinquish the temporary certificate.

824 (4) The department shall review a temporary
825 certificateholder's practice at least annually to determine
826 whether the certificateholder is meeting the requirements of
827 subsections (2) and (3) and the rules adopted thereunder. If the
828 department determines that a certificateholder is not meeting
829 these requirements, the department must revoke the temporary
830 certificate.

831 (5) A temporary certificate issued under this section is
832 ~~shall be valid only as long as an area for which it is issued~~
833 ~~remains an area of critical need, but no longer than 2 years,~~
834 and is shall not ~~be~~ renewable.

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

838 ~~(d) The department shall not issue a temporary certificate~~
839 ~~to any midwife who is under investigation in another state for~~
840 ~~an act which would constitute a violation of this chapter until~~
841 ~~such time as the investigation is complete, at which time the~~

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842 ~~provisions of this section shall apply.~~

843 ~~(e) The department shall review the practice under a~~
844 ~~temporary certificate at least annually to ascertain that the~~
845 ~~minimum requirements of the midwifery rules promulgated under~~
846 ~~this chapter are being met. If it is determined that the minimum~~
847 ~~requirements are not being met, the department shall immediately~~
848 ~~revoke the temporary certificate.~~

849 ~~(f) The fee for a temporary certificate shall not exceed~~
850 ~~\$50 and shall be in addition to the fee required for licensure.~~

851 Section 20. Section 467.205, Florida Statutes, is amended
852 to read:

853 467.205 Approval of midwifery programs.—

854 (1) The department shall approve an accredited or state-
855 licensed public or private institution seeking to provide
856 midwifery education and training as an approved midwifery
857 program in this state if the institution meets all of the
858 following criteria:

859 (a) Submits an application for approval on a form approved
860 by the department.

861 (b) Demonstrates to the department's satisfaction that the
862 proposed midwifery program complies with s. 467.009 and the
863 rules adopted thereunder.

864 (c) For a private institution, demonstrates its
865 accreditation by a member of the Council for Higher Education
866 Accreditation or an accrediting agency approved by the United
867 States Department of Education and its licensing or provisional
868 licensing by the Commission for Independent Education An
869 ~~organization desiring to conduct an approved program for the~~
870 ~~education of midwives shall apply to the department and submit~~

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871 ~~such evidence as may be required to show that it complies with~~
872 ~~s. 467.009 and with the rules of the department. Any accredited~~
873 ~~or state-licensed institution of higher learning, public or~~
874 ~~private, may provide midwifery education and training.~~

875 ~~(2) The department shall adopt rules regarding educational~~
876 ~~objectives, faculty qualifications, curriculum guidelines,~~
877 ~~administrative procedures, and other training requirements as~~
878 ~~are necessary to ensure that approved programs graduate midwives~~
879 ~~competent to practice under this chapter.~~

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

884 ~~(2)(4)~~ The department shall, at least once every 3 years,
885 certify whether each approved midwifery program is currently
886 compliant, and has maintained compliance, ~~complies~~ with the
887 requirements of standards developed under s. 467.009 and the
888 rules adopted thereunder.

889 ~~(3)(5)~~ If the department finds that an approved midwifery
890 program is not in compliance with the requirements of s. 467.009
891 or the rules adopted thereunder, or has lost its accreditation
892 status, the department must provide its finding to the program
893 in writing and no longer meets the required standards, it may
894 place the program on probationary status for a specified period
895 of time, which may not exceed 3 years until such time as the
896 standards are restored.

897 ~~(4)~~ If a program on probationary status does not come into
898 compliance with the requirements of s. 467.009 or the rules
899 adopted thereunder, or regain its accreditation status, as

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900 applicable, within the period specified by the department ~~fails~~
901 ~~to correct these conditions within a specified period of time,~~
902 the department may rescind the program's approval.

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

905 (6) The department may grant provisional approval of a new
906 program seeking accreditation status, for a period not to exceed
907 5 years, provided that all other requirements of this section
908 are met.

909 (7) The department may rescind provisional approval of a
910 program that fails to the meet the requirements of s. 467.009,
911 this section, or the rules adopted thereunder, in accordance
912 with procedures provided in subsections (3) and (4) ~~may be~~
913 ~~granted pending the licensure results of the first graduating~~
914 ~~class.~~

915 Section 21. Subsections (2), (3), and (4) and paragraphs
916 (a) and (b) of subsection (5) of section 468.803, Florida
917 Statutes, are amended to read:

918 468.803 License, registration, and examination
919 requirements.-

920 (2) An applicant for registration, examination, or
921 licensure must apply to the department on a form prescribed by
922 the board for consideration of board approval. Each initial
923 applicant shall submit ~~a set of~~ fingerprints to the department
924 ~~on a form and~~ under procedures specified by the department,
925 ~~along with payment in an amount equal to the costs incurred by~~
926 ~~the department~~ for state and national criminal history checks of
927 the applicant. ~~The department shall submit the fingerprints~~
928 ~~provided by an applicant to the Department of Law Enforcement~~

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929 ~~for a statewide criminal history check, and the Department of~~
930 ~~Law Enforcement shall forward the fingerprints to the Federal~~
931 ~~Bureau of Investigation for a national criminal history check of~~
932 ~~the applicant.~~ The board shall screen the results to determine
933 if an applicant meets licensure requirements. The board shall
934 consider for examination, registration, or licensure each
935 applicant who the board verifies:

936 (a) Has submitted the completed application and completed
937 the fingerprinting requirements ~~fingerprint forms~~ and has paid
938 the applicable application fee, not to exceed \$500, ~~and the cost~~
939 ~~of the state and national criminal history checks.~~ The
940 application fee is ~~and cost of the criminal history checks shall~~
941 ~~be~~ nonrefundable;

942 (b) Is of good moral character;

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

944 (d) Has completed the appropriate educational preparation.

945 (3) A person seeking to attain the orthotics or prosthetics
946 experience required for licensure in this state must be approved
947 by the board and registered as a resident by the department.
948 Although a registration may be held in both disciplines, for
949 independent registrations the board may not approve a second
950 registration until at least 1 year after the issuance of the
951 first registration. Notwithstanding subsection (2), a person who
952 has been approved by the board and registered by the department
953 in one discipline may apply for registration in the second
954 discipline without an additional state or national criminal
955 history check during the period in which the first registration
956 is valid. Each independent registration or dual registration is
957 valid for 2 years after the date of issuance unless otherwise

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958 revoked by the department upon recommendation of the board. The
959 board shall set a registration fee not to exceed \$500 to be paid
960 by the applicant. A registration may be renewed once by the
961 department upon recommendation of the board for a period no
962 longer than 1 year, as such renewal is defined by the board by
963 rule. The renewal fee may not exceed one-half the current
964 registration fee. To be considered by the board for approval of
965 registration as a resident, the applicant must have one of the
966 following:

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

971 (b) A minimum of a bachelor's degree from an
972 institutionally ~~a regionally~~ accredited college or university
973 and a certificate in orthotics or prosthetics from a program
974 recognized by the Commission on Accreditation of Allied Health
975 Education Programs, or its equivalent, as determined by the
976 board.

977 (c) A minimum of a bachelor's degree from an
978 institutionally ~~a regionally~~ accredited college or university
979 and a dual certificate in both orthotics and prosthetics from
980 programs recognized by the Commission on Accreditation of Allied
981 Health Education Programs, or its equivalent, as determined by
982 the board.

983 (4) The department may develop and administer a state
984 examination for an orthotist or a prosthetist license, or the
985 board may approve the existing examination of a national
986 standards organization. The examination must be predicated on a

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987 minimum of a baccalaureate-level education and formalized
988 specialized training in the appropriate field. Each examination
989 must demonstrate a minimum level of competence in basic
990 scientific knowledge, written problem solving, and practical
991 clinical patient management. The board shall require an
992 examination fee not to exceed the actual cost to the board in
993 developing, administering, and approving the examination, which
994 fee must be paid by the applicant. To be considered by the board
995 for examination, the applicant must have:

996 (a) For an examination in orthotics:

997 1. A Bachelor of Science or higher-level postgraduate
998 degree in orthotics and prosthetics from an institutionally a
999 ~~regionally~~ accredited college or university recognized by the
1000 Commission on Accreditation of Allied Health Education Programs
1001 or, at a minimum, a bachelor's degree from an institutionally a
1002 ~~regionally~~ accredited college or university and a certificate in
1003 orthotics from a program recognized by the Commission on
1004 Accreditation of Allied Health Education Programs, or its
1005 equivalent, as determined by the board; and

1006 2. An approved orthotics internship of 1 year of qualified
1007 experience, as determined by the board, or an orthotic residency
1008 or dual residency program recognized by the board.

1009 (b) For an examination in prosthetics:

1010 1. A Bachelor of Science or higher-level postgraduate
1011 degree in orthotics and prosthetics from an institutionally a
1012 ~~regionally~~ accredited college or university recognized by the
1013 Commission on Accreditation of Allied Health Education Programs
1014 or, at a minimum, a bachelor's degree from an institutionally a
1015 ~~regionally~~ accredited college or university and a certificate in

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1016 prosthetics from a program recognized by the Commission on
1017 Accreditation of Allied Health Education Programs, or its
1018 equivalent, as determined by the board; and

1019 2. An approved prosthetics internship of 1 year of
1020 qualified experience, as determined by the board, or a
1021 prosthetic residency or dual residency program recognized by the
1022 board.

1023 (5) In addition to the requirements in subsection (2), to
1024 be licensed as:

1025 (a) An orthotist, the applicant must pay a license fee not
1026 to exceed \$500 and must have:

1027 1. A Bachelor of Science or higher-level postgraduate
1028 degree in Orthotics and Prosthetics from an institutionally a
1029 regionally accredited college or university recognized by the
1030 Commission on Accreditation of Allied Health Education Programs,
1031 or a bachelor's degree from an institutionally accredited
1032 college or university and with a certificate in orthotics from a
1033 program recognized by the Commission on Accreditation of Allied
1034 Health Education Programs, or its equivalent, as determined by
1035 the board;

1036 2. An approved ~~appropriate~~ internship of 1 year of
1037 qualified experience, as determined by the board, or a residency
1038 program recognized by the board;

1039 3. Completed the mandatory courses; and

1040 4. Passed the state orthotics examination or the board-
1041 approved orthotics examination.

1042 (b) A prosthetist, the applicant must pay a license fee not
1043 to exceed \$500 and must have:

1044 1. A Bachelor of Science or higher-level postgraduate

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1045 degree in Orthotics and Prosthetics from an institutionally a
1046 ~~regionally~~ accredited college or university recognized by the
1047 Commission on Accreditation of Allied Health Education Programs,
1048 or a bachelor's degree from an institutionally accredited
1049 college or university and ~~with~~ a certificate in prosthetics from
1050 a program recognized by the Commission on Accreditation of
1051 Allied Health Education Programs, or its equivalent, as
1052 determined by the board;

1053 2. An internship of 1 year of qualified experience, as
1054 determined by the board, or a residency program recognized by
1055 the board;

1056 3. Completed the mandatory courses; and

1057 4. Passed the state prosthetics examination or the board-
1058 approved prosthetics examination.

1059 Section 22. Subsection (7) is added to section 483.801,
1060 Florida Statutes, to read:

1061 483.801 Exemptions.—This part applies to all clinical
1062 laboratories and clinical laboratory personnel within this
1063 state, except:

1064 (7) Persons performing alternate-site testing within a
1065 hospital or offsite emergency department licensed under chapter
1066 395.

1067 Section 23. Section 483.824, Florida Statutes, is amended
1068 to read:

1069 483.824 Qualifications of clinical laboratory director.—A
1070 clinical laboratory director must have 4 years of clinical
1071 laboratory experience with 2 years of experience in the
1072 specialty to be directed or be nationally board certified in the
1073 specialty to be directed, and must meet one of the following

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1074 requirements:

1075 (1) Be a physician licensed under chapter 458 or chapter
1076 459;

1077 (2) Hold an earned doctoral degree in a chemical, physical,
1078 or biological science from an ~~a regionally~~ accredited
1079 institution and maintain national certification requirements
1080 equal to those required by the federal Health Care Financing
1081 Administration; or

1082 (3) For the subspecialty of oral pathology, be a physician
1083 licensed under chapter 458 or chapter 459 or a dentist licensed
1084 under chapter 466.

1085 Section 24. Subsection (3) of section 490.003, Florida
1086 Statutes, is amended to read:

1087 490.003 Definitions.—As used in this chapter:

1088 (3) (a) "Doctoral degree from an American Psychological
1089 Association accredited program" means ~~Effective July 1, 1999,~~
1090 ~~"doctoral level psychological education" and "doctoral degree in~~
1091 ~~psychology"~~ mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in
1092 psychology from a psychology program at an educational
1093 institution that, at the time the applicant was enrolled and
1094 graduated:

1095 1. ~~(a)~~ Had institutional accreditation from an agency
1096 recognized and approved by the United States Department of
1097 Education or was recognized as a member in good standing with
1098 the Association of Universities and Colleges of Canada; and

1099 2. ~~(b)~~ Had programmatic accreditation from the American
1100 Psychological Association.

1101 (b) "Doctoral degree in psychology" means a Psy.D., an
1102 Ed.D. in psychology, or a Ph.D. in psychology from a psychology

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1103 program at an educational institution that, at the time the
1104 applicant was enrolled and graduated, had institutional
1105 accreditation from an agency recognized and approved by the
1106 United States Department of Education or was recognized as a
1107 member in good standing with the Association of Universities and
1108 Colleges of Canada.

1109 Section 25. Subsection (1) of section 490.005, Florida
1110 Statutes, is amended to read:

1111 490.005 Licensure by examination.—

1112 (1) Any person desiring to be licensed as a psychologist
1113 shall apply to the department to take the licensure examination.
1114 The department shall license each applicant who the board
1115 certifies has met all of the following requirements:

1116 (a) Completed the application form and remitted a
1117 nonrefundable application fee not to exceed \$500 and an
1118 examination fee set by the board sufficient to cover the actual
1119 per applicant cost to the department for development, purchase,
1120 and administration of the examination, but not to exceed \$500.

1121 (b) Submitted proof satisfactory to the board that the
1122 applicant has received:

1123 1. A doctoral degree from an American Psychological
1124 Association accredited program ~~Doctoral-level psychological~~
1125 ~~education~~; or

1126 2. The equivalent of a doctoral degree from an American
1127 Psychological Association accredited program ~~doctoral-level~~
1128 ~~psychological education, as defined in s. 490.003(3),~~ from a
1129 program at a school or university located outside the United
1130 States of America which was officially recognized by the
1131 government of the country in which it is located as an

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1132 institution or program to train students to practice
1133 professional psychology. The applicant has the burden of
1134 establishing that this requirement has been met.

1135 (c) Had at least 2 years or 4,000 hours of experience in
1136 the field of psychology in association with or under the
1137 supervision of a licensed psychologist meeting the academic and
1138 experience requirements of this chapter or the equivalent as
1139 determined by the board. The experience requirement may be met
1140 by work performed on or off the premises of the supervising
1141 psychologist if the off-premises work is not the independent,
1142 private practice rendering of psychological services that does
1143 not have a psychologist as a member of the group actually
1144 rendering psychological services on the premises.

1145 (d) Passed the examination. However, an applicant who has
1146 obtained a passing score, as established by the board by rule,
1147 on the psychology licensure examination designated by the board
1148 as the national licensure examination need only pass the Florida
1149 law and rules portion of the examination.

1150 Section 26. Subsection (1) of section 490.0051, Florida
1151 Statutes, is amended to read:

1152 490.0051 Provisional licensure; requirements.—

1153 (1) The department shall issue a provisional psychology
1154 license to each applicant who the board certifies has:

1155 (a) Completed the application form and remitted a
1156 nonrefundable application fee not to exceed \$250, as set by
1157 board rule.

1158 (b) Earned a doctoral degree from an American Psychological
1159 Association accredited program in psychology as defined in s.
1160 490.003(3).

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1161 (c) Met any additional requirements established by board
1162 rule.

1163 Section 27. Subsections (1), (3), and (4) of section
1164 491.005, Florida Statutes, are amended to read:

1165 491.005 Licensure by examination.—

1166 (1) CLINICAL SOCIAL WORK.—Upon verification of
1167 documentation and payment of a fee not to exceed \$200, as set by
1168 board rule, ~~plus the actual per applicant cost to the department~~
1169 ~~for purchase of the examination from the American Association of~~
1170 ~~State Social Worker's Boards or a similar national organization,~~
1171 the department shall issue a license as a clinical social worker
1172 to an applicant who the board certifies has met all of the
1173 following criteria:

1174 (a) ~~Has~~ Submitted an application and paid the appropriate
1175 fee.

1176 (b)1. ~~Has~~ Received a doctoral degree in social work from a
1177 graduate school of social work which at the time the applicant
1178 graduated was accredited by an accrediting agency recognized by
1179 the United States Department of Education or ~~has~~ received a
1180 master's degree in social work from a graduate school of social
1181 work which at the time the applicant graduated:

1182 a. Was accredited by the Council on Social Work Education;

1183 b. Was accredited by the Canadian Association of Schools of
1184 Social Work; or

1185 c. Has been determined to have been a program equivalent to
1186 programs approved by the Council on Social Work Education by the
1187 Foreign Equivalency Determination Service of the Council on
1188 Social Work Education. An applicant who graduated from a program
1189 at a university or college outside of the United States or

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1190 Canada must present documentation of the equivalency
1191 determination from the council in order to qualify.

1192 2. The applicant's graduate program must have emphasized
1193 direct clinical patient or client health care services,
1194 including, but not limited to, coursework in clinical social
1195 work, psychiatric social work, medical social work, social
1196 casework, psychotherapy, or group therapy. The applicant's
1197 graduate program must have included all of the following
1198 coursework:

1199 a. A supervised field placement which was part of the
1200 applicant's advanced concentration in direct practice, during
1201 which the applicant provided clinical services directly to
1202 clients.

1203 b. Completion of 24 semester hours or 32 quarter hours in
1204 theory of human behavior and practice methods as courses in
1205 clinically oriented services, including a minimum of one course
1206 in psychopathology, and no more than one course in research,
1207 taken in a school of social work accredited or approved pursuant
1208 to subparagraph 1.

1209 3. If the course title which appears on the applicant's
1210 transcript does not clearly identify the content of the
1211 coursework, the applicant shall be required to provide
1212 additional documentation, including, but not limited to, a
1213 syllabus or catalog description published for the course.

1214 (c) ~~Has~~ Had at least 2 years of clinical social work
1215 experience, which took place subsequent to completion of a
1216 graduate degree in social work at an institution meeting the
1217 accreditation requirements of this section, under the
1218 supervision of a licensed clinical social worker or the

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1219 equivalent who is a qualified supervisor as determined by the
1220 board. An individual who intends to practice in Florida to
1221 satisfy clinical experience requirements must register pursuant
1222 to s. 491.0045 before commencing practice. If the applicant's
1223 graduate program was not a program which emphasized direct
1224 clinical patient or client health care services as described in
1225 subparagraph (b)2., the supervised experience requirement must
1226 take place after the applicant has completed a minimum of 15
1227 semester hours or 22 quarter hours of the coursework required. A
1228 doctoral internship may be applied toward the clinical social
1229 work experience requirement. A licensed mental health
1230 professional must be on the premises when clinical services are
1231 provided by a registered intern in a private practice setting.
1232 When a registered intern is providing clinical services through
1233 telehealth, a licensed mental health professional must be
1234 accessible by telephone or electronic means.

1235 (d) ~~Has~~ Passed a theory and practice examination designated
1236 by board rule provided by the department for this purpose.

1237 (e) ~~Has~~ Demonstrated, in a manner designated by rule of the
1238 board, knowledge of the laws and rules governing the practice of
1239 clinical social work, marriage and family therapy, and mental
1240 health counseling.

1241 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
1242 documentation and payment of a fee not to exceed \$200, as set by
1243 board rule, plus the actual cost of the purchase of the
1244 examination from the Association of Marital and Family Therapy
1245 Regulatory Board, or similar national organization, the
1246 department shall issue a license as a marriage and family
1247 therapist to an applicant who the board certifies has met all of

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1248 the following criteria:

1249 (a) ~~Has~~ Submitted an application and paid the appropriate
1250 fee.

1251 (b) 1. Obtained one of the following:

1252 a. ~~Has~~ A minimum of a master's degree with major emphasis
1253 in marriage and family therapy or a closely related field from a
1254 program accredited by the Commission on Accreditation for
1255 Marriage and Family Therapy Education or from a Florida
1256 university program accredited by the Council for Accreditation
1257 of Counseling and Related Educational Programs.

1258 b. A minimum of a master's degree with an emphasis in
1259 marriage and family therapy with a degree conferred date before
1260 July 1, 2026, from an institutionally accredited Florida college
1261 or university that is not yet accredited by the Commission on
1262 Accreditation for Marriage and Family Therapy Education or the
1263 Council for Accreditation of Counseling and Related Educational
1264 Programs.

1265 2. Completed ~~and~~ graduate courses approved by the Board of
1266 Clinical Social Work, Marriage and Family Therapy, and Mental
1267 Health Counseling.

1268
1269 If the course title that appears on the applicant's transcript
1270 does not clearly identify the content of the coursework, the
1271 applicant shall provide additional documentation, including, but
1272 not limited to, a syllabus or catalog description published for
1273 the course. The required master's degree must have been received
1274 in an institution of higher education that, at the time the
1275 applicant graduated, was fully accredited by an institutional ~~a~~
1276 ~~regional~~ accrediting body recognized by the Commission on

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1277 Recognition of Postsecondary Accreditation or publicly
1278 recognized as a member in good standing with the Association of
1279 Universities and Colleges of Canada, or an institution of higher
1280 education located outside the United States and Canada which, at
1281 the time the applicant was enrolled and at the time the
1282 applicant graduated, maintained a standard of training
1283 substantially equivalent to the standards of training of those
1284 institutions in the United States which are accredited by an
1285 institutional ~~a regional~~ accrediting body recognized by the
1286 Commission on Recognition of Postsecondary Accreditation. Such
1287 foreign education and training must have been received in an
1288 institution or program of higher education officially recognized
1289 by the government of the country in which it is located as an
1290 institution or program to train students to practice as
1291 professional marriage and family therapists or psychotherapists.
1292 The applicant has the burden of establishing that the
1293 requirements of this provision have been met, and the board
1294 shall require documentation, such as an evaluation by a foreign
1295 equivalency determination service, as evidence that the
1296 applicant's graduate degree program and education were
1297 equivalent to an accredited program in this country. An
1298 applicant with a master's degree from a program that did not
1299 emphasize marriage and family therapy may complete the
1300 coursework requirement in a training institution fully
1301 accredited by the Commission on Accreditation for Marriage and
1302 Family Therapy Education recognized by the United States
1303 Department of Education.

1304 (c) ~~Has~~ Had at least 2 years of clinical experience during
1305 which 50 percent of the applicant's clients were receiving

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1306 marriage and family therapy services, which must have been ~~be~~ at
1307 the post-master's level under the supervision of a licensed
1308 marriage and family therapist with at least 5 years of
1309 experience, or the equivalent, who is a qualified supervisor as
1310 determined by the board. An individual who intends to practice
1311 in Florida to satisfy the clinical experience requirements must
1312 register pursuant to s. 491.0045 before commencing practice. If
1313 a graduate has a master's degree with a major emphasis in
1314 marriage and family therapy or a closely related field which did
1315 not include all of the coursework required by paragraph (b),
1316 credit for the post-master's level clinical experience may not
1317 commence until the applicant has completed a minimum of 10 of
1318 the courses required by paragraph (b), as determined by the
1319 board, and at least 6 semester hours or 9 quarter hours of the
1320 course credits must have been completed in the area of marriage
1321 and family systems, theories, or techniques. Within the 2 years
1322 of required experience, the applicant must ~~shall~~ provide direct
1323 individual, group, or family therapy and counseling to cases
1324 including those involving unmarried dyads, married couples,
1325 separating and divorcing couples, and family groups that include
1326 children. A doctoral internship may be applied toward the
1327 clinical experience requirement. A licensed mental health
1328 professional must be on the premises when clinical services are
1329 provided by a registered intern in a private practice setting.
1330 When a registered intern is providing clinical services through
1331 telehealth, a licensed mental health professional must be
1332 accessible by telephone or other electronic means.

1333 (d) ~~Has~~ Passed a theory and practice examination designated
1334 by board rule ~~provided by the department.~~

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1335 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,
1336 knowledge of the laws and rules governing the practice of
1337 clinical social work, marriage and family therapy, and mental
1338 health counseling.

1339
1340 For the purposes of dual licensure, the department shall license
1341 as a marriage and family therapist any person who meets the
1342 requirements of s. 491.0057. Fees for dual licensure may not
1343 exceed those stated in this subsection.

1344 (4) MENTAL HEALTH COUNSELING.—Upon verification of
1345 documentation and payment of a fee not to exceed \$200, as set by
1346 board rule, ~~plus the actual per applicant cost of purchase of~~
1347 ~~the examination from the National Board for Certified Counselors~~
1348 ~~or its successor organization,~~ the department shall issue a
1349 license as a mental health counselor to an applicant who the
1350 board certifies has met all of the following criteria:

1351 (a) ~~Has~~ Submitted an application and paid the appropriate
1352 fee.

1353 (b)1. Obtained ~~Has~~ a minimum of an earned master's degree
1354 from a mental health counseling program accredited by the
1355 Council for the Accreditation of Counseling and Related
1356 Educational Programs which consists of at least 60 semester
1357 hours or 80 quarter hours of clinical and didactic instruction,
1358 including a course in human sexuality and a course in substance
1359 abuse. If the master's degree is earned from a program related
1360 to the practice of mental health counseling which is not
1361 accredited by the Council for the Accreditation of Counseling
1362 and Related Educational Programs, then the coursework and
1363 practicum, internship, or fieldwork must consist of at least 60

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1364 semester hours or 80 quarter hours and meet all of the following
1365 requirements:

1366 a. Thirty-three semester hours or 44 quarter hours of
1367 graduate coursework, which must include a minimum of 3 semester
1368 hours or 4 quarter hours of graduate-level coursework in each of
1369 the following 11 content areas: counseling theories and
1370 practice; human growth and development; diagnosis and treatment
1371 of psychopathology; human sexuality; group theories and
1372 practice; individual evaluation and assessment; career and
1373 lifestyle assessment; research and program evaluation; social
1374 and cultural foundations; substance abuse; and legal, ethical,
1375 and professional standards issues in the practice of mental
1376 health counseling. Courses in research, thesis or dissertation
1377 work, practicums, internships, or fieldwork may not be applied
1378 toward this requirement.

1379 b. A minimum of 3 semester hours or 4 quarter hours of
1380 graduate-level coursework addressing diagnostic processes,
1381 including differential diagnosis and the use of the current
1382 diagnostic tools, such as the current edition of the American
1383 Psychiatric Association's Diagnostic and Statistical Manual of
1384 Mental Disorders. The graduate program must have emphasized the
1385 common core curricular experience.

1386 c. The equivalent, as determined by the board, of at least
1387 700 hours of university-sponsored supervised clinical practicum,
1388 internship, or field experience that includes at least 280 hours
1389 of direct client services, as required in the accrediting
1390 standards of the Council for Accreditation of Counseling and
1391 Related Educational Programs for mental health counseling
1392 programs. This experience may not be used to satisfy the post-

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1393 master's clinical experience requirement.

1394 2. ~~Has~~ Provided additional documentation if a course title
1395 that appears on the applicant's transcript does not clearly
1396 identify the content of the coursework. The documentation must
1397 include, but is not limited to, a syllabus or catalog
1398 description published for the course.

1399

1400 Education and training in mental health counseling must have
1401 been received in an institution of higher education that, at the
1402 time the applicant graduated, was fully accredited by an
1403 institutional ~~a regional~~ accrediting body recognized by the
1404 Council for Higher Education Accreditation or its successor
1405 organization or publicly recognized as a member in good standing
1406 with the Association of Universities and Colleges of Canada, or
1407 an institution of higher education located outside the United
1408 States and Canada which, at the time the applicant was enrolled
1409 and at the time the applicant graduated, maintained a standard
1410 of training substantially equivalent to the standards of
1411 training of those institutions in the United States which are
1412 accredited by an institutional ~~a regional~~ accrediting body
1413 recognized by the Council for Higher Education Accreditation or
1414 its successor organization. Such foreign education and training
1415 must have been received in an institution or program of higher
1416 education officially recognized by the government of the country
1417 in which it is located as an institution or program to train
1418 students to practice as mental health counselors. The applicant
1419 has the burden of establishing that the requirements of this
1420 provision have been met, and the board shall require
1421 documentation, such as an evaluation by a foreign equivalency

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1422 determination service, as evidence that the applicant's graduate
1423 degree program and education were equivalent to an accredited
1424 program in this country. Beginning July 1, 2025, an applicant
1425 must have a master's degree from a program that is accredited by
1426 the Council for Accreditation of Counseling and Related
1427 Educational Programs, the Masters in Psychology and Counseling
1428 Accreditation Council, or an equivalent accrediting body which
1429 consists of at least 60 semester hours or 80 quarter hours to
1430 apply for licensure under this paragraph.

1431 (c) ~~Has~~ Had at least 2 years of clinical experience in
1432 mental health counseling, which must be at the post-master's
1433 level under the supervision of a licensed mental health
1434 counselor or the equivalent who is a qualified supervisor as
1435 determined by the board. An individual who intends to practice
1436 in Florida to satisfy the clinical experience requirements must
1437 register pursuant to s. 491.0045 before commencing practice. If
1438 a graduate has a master's degree with a major related to the
1439 practice of mental health counseling which did not include all
1440 the coursework required under sub-subparagraphs (b)1.a. and b.,
1441 credit for the post-master's level clinical experience may not
1442 commence until the applicant has completed a minimum of seven of
1443 the courses required under sub-subparagraphs (b)1.a. and b., as
1444 determined by the board, one of which must be a course in
1445 psychopathology or abnormal psychology. A doctoral internship
1446 may be applied toward the clinical experience requirement. A
1447 licensed mental health professional must be on the premises when
1448 clinical services are provided by a registered intern in a
1449 private practice setting. When a registered intern is providing
1450 clinical services through telehealth, a licensed mental health

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1451 professional must be accessible by telephone or other electronic
1452 means.

1453 (d) ~~Has~~ Passed a theory and practice examination designated
1454 by department rule ~~provided by the department for this purpose.~~

1455 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,
1456 knowledge of the laws and rules governing the practice of
1457 clinical social work, marriage and family therapy, and mental
1458 health counseling.

1459 Section 28. This act shall take effect July 1, 2021.