

20211568e1

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

20211568e1

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; revising an exemption  
57 from telehealth registration requirements; amending s.  
58 460.406, F.S.; revising provisions related to

20211568e1

59       chiropractic physician licensing; amending s. 464.008,  
60       F.S.; deleting a requirement that certain nursing  
61       program graduates complete a specified preparatory  
62       course; amending s. 464.018, F.S.; revising grounds  
63       for disciplinary action against licensed nurses;  
64       amending s. 465.1893, F.S.; providing additional long-  
65       acting medications that pharmacists may administer  
66       under certain circumstances; revising requirements for  
67       a continuing education course such pharmacists must  
68       complete; amending s. 466.028, F.S.; revising grounds  
69       for disciplinary action by the Board of Dentistry;  
70       amending s. 466.0285, F.S.; exempting certain  
71       specialty hospitals from prohibitions relating to the  
72       employment of dentists and dental hygienists and the  
73       control of dental equipment and materials by  
74       nondentists; exempting such hospitals from a  
75       prohibition on nondentists entering into certain  
76       agreements with dentists or dental hygienists; making  
77       technical changes; amending s. 467.003, F.S.; revising  
78       and defining terms; amending s. 467.009, F.S.;  
79       revising provisions related to approved midwifery  
80       programs; amending s. 467.011, F.S.; revising  
81       provisions relating to licensure of midwives; amending  
82       s. 467.0125, F.S.; revising provisions relating to  
83       licensure by endorsement of midwives; revising  
84       requirements for temporary certificates to practice  
85       midwifery in this state; amending s. 467.205, F.S.;  
86       revising provisions relating to approval, continued  
87       monitoring, probationary status, provisional approval,

20211568e1

88 and approval rescission of midwifery programs;  
89 amending s. 468.803, F.S.; revising provisions related  
90 to orthotist and prosthetist registration,  
91 examination, and licensing; amending s. 483.801, F.S.;  
92 exempting certain persons from clinical laboratory  
93 personnel regulations; amending s. 483.824, F.S.;  
94 revising educational requirements for clinical  
95 laboratory directors; amending s. 490.003, F.S.;  
96 defining the terms "doctoral degree from an American  
97 Psychological Association accredited program" and  
98 "doctoral degree in psychology"; amending ss. 490.005  
99 and 490.0051, F.S.; revising education requirements  
100 for psychologist licensing and provisional licensing,  
101 respectively; amending s. 491.005, F.S.; revising  
102 licensing requirements for clinical social workers,  
103 marriage and family therapists, and mental health  
104 counselors; amending s. 381.986, F.S.; prohibiting the  
105 department from renewing a medical marijuana treatment  
106 center's license under certain circumstances;  
107 providing effective dates.

108  
109 Be It Enacted by the Legislature of the State of Florida:

110  
111 Section 1. Subsections (2) and (3) of section 381.0045,  
112 Florida Statutes, are amended to read:

113 381.0045 Targeted outreach for pregnant women.—

114 (2) It is the purpose of this section to establish a  
115 targeted outreach program for high-risk pregnant women who may  
116 not seek proper prenatal care, who suffer from substance abuse

20211568e1

117 or mental health problems, or who have ~~are infected with~~ human  
118 immunodeficiency virus (HIV), and to provide these women with  
119 links to much needed services and information.

120 (3) The department shall:

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

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

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

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

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

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

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

143 (h) Provide continued oversight of ~~to HIV-exposed~~ newborns  
144 exposed to HIV to determine the newborn's final HIV status and  
145 ensure continued linkage to care if the newborn is diagnosed

20211568e1

146 with HIV.

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

150 381.0061 Administrative fines.—

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

160 Section 3. Section 381.00635, Florida Statutes, is created  
161 to read:

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

171 Section 4. Section 381.0067, Florida Statutes, is amended  
172 to read:

173 381.0067 Corrective orders; ~~private and certain public~~  
174 ~~water systems and~~ onsite sewage treatment and disposal systems.—

20211568e1

175 When the department or its agents, through investigation, find  
176 that any ~~private water system, public water system not covered~~  
177 ~~or included in the Florida Safe Drinking Water Act (part VI of~~  
178 ~~chapter 403), or~~ onsite sewage treatment and disposal system  
179 constitutes a nuisance or menace to the public health or  
180 significantly degrades the groundwater or surface water, the  
181 department or its agents may issue an order requiring the owner  
182 to correct the improper condition. If the improper condition  
183 relates to the drainfield of an onsite sewage treatment and  
184 disposal system, the department or its agents may issue an order  
185 requiring the owner to repair or replace the drainfield. If an  
186 onsite sewage treatment and disposal system has failed, the  
187 department or its agents shall issue an order requiring the  
188 owner to replace the system. For purposes of this section, an  
189 onsite sewage treatment and disposal system has failed if the  
190 operation of the system constitutes a nuisance or menace to the  
191 public health or significantly degrades the groundwater or  
192 surface water and the system cannot be repaired.

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

195 381.0101 Environmental health professionals.—

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

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

20211568e1

204 (b) Persons performing site evaluations in order to  
205 determine proper placement and installation of onsite sewage  
206 ~~wastewater~~ treatment and disposal systems who have successfully  
207 completed a department-approved soils morphology course and who  
208 are working under the direct responsible charge of an engineer  
209 licensed under chapter 471.

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

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

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

230 2. Persons employed in the primary environmental health  
231 program of a food protection program or an onsite sewage  
232 treatment and disposal system program before ~~prior to~~ September



20211568e1

233 21, 1994, are ~~shall be~~ considered certified while employed in  
234 that position and are ~~shall be~~ required to adhere to any  
235 professional standards established by the department pursuant to  
236 paragraph (b), complete any continuing education requirements  
237 imposed under paragraph (d), and pay the certificate renewal fee  
238 imposed under subsection (6).

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

248 4. Registered sanitarians are ~~shall be~~ considered certified  
249 and are ~~shall be~~ required to adhere to any professional  
250 standards established by the department pursuant to paragraph  
251 (b).

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

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

260 (d) Persons who are certified shall renew their  
261 certification biennially by completing a minimum of ~~not less~~

20211568e1

262 ~~than~~ 24 contact hours of continuing education for each program  
263 area in which they maintain certification, subject to a maximum  
264 of 48 hours for multiprogram certification.

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

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

272 Section 6. Section 395.3042, Florida Statutes, is created  
273 to read:

274 395.3042 Emergency medical services providers; triage and  
275 transportation of heart attack victims to an adult  
276 cardiovascular services provider.-

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

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

289 (3) The medical director of each licensed emergency medical  
290 services provider shall develop and implement assessment,

20211568e1

291 treatment, and transport-destination protocols for heart attack  
292 patients with the intent to assess, treat, and transport heart  
293 attack patients to the most appropriate hospital. Such protocols  
294 must include the development and implementation of plans for the  
295 triage and transport of patients with acute heart attack  
296 symptoms.

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

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

305 401.465 911 public safety telecommunicator certification.-

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

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

315 (2) PERSONNEL; STANDARDS AND CERTIFICATION.-

316 (d) The department shall determine whether the applicant  
317 meets the requirements specified in this section and in rules of  
318 the department and shall issue a certificate to any person who  
319 meets such requirements. Such requirements must include the

20211568e1

320 following:

321 1. Completion of an appropriate 911 public safety  
322 telecommunication training program;

323 2. Certification under oath that the applicant is not  
324 addicted to alcohol or any controlled substance;

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

328 4. Submission of the application fee prescribed in  
329 subsection (4) ~~(3)~~;

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

333 6. Effective October 1, 2012, passage of an examination  
334 approved by the department which measures the applicant's  
335 competency and proficiency in the subject material of the public  
336 safety telecommunication training program.

337 (j)1. The requirement for certification as a 911 public  
338 safety telecommunicator is waived for a person employed as a  
339 sworn state-certified law enforcement officer, provided the  
340 officer:

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

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

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

348 2. A sworn state-certified law enforcement officer who

20211568e1

349 fails an examination taken under subparagraph 1. must take a  
350 department-approved public safety telecommunication training  
351 program prior to retaking the examination.

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

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

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

363 408.033 Local and state health planning.—

364 (1) LOCAL HEALTH COUNCILS.—

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

369 Section 9. Paragraph (c) of subsection (2) and subsection  
370 (6) of section 456.47, Florida Statutes, are amended to read:

371 456.47 Use of telehealth to provide services.—

372 (2) PRACTICE STANDARDS.—

373 (c) A telehealth provider, acting within the scope of his  
374 or her practice and in accordance with chapter 893, may not use  
375 telehealth to prescribe a controlled substance listed in  
376 Schedule III, Schedule IV, or Schedule V of s. 893.03 and may  
377 use telehealth to prescribe a controlled substance listed in

20211568e1

378 Schedule II of s. 893.03 if ~~unless~~ the controlled substance is  
379 prescribed for the following:

- 380 1. The treatment of a psychiatric disorder;
- 381 2. Inpatient treatment at a hospital licensed under chapter  
382 395;
- 383 3. The treatment of a patient receiving hospice services as  
384 defined in s. 400.601; or
- 385 4. The treatment of a resident of a nursing home facility  
386 as defined in s. 400.021.

387 (6) EXEMPTIONS.—A health care professional who is not  
388 licensed to provide health care services in this state but who  
389 holds an active license to provide health care services in  
390 another state or jurisdiction, and who provides health care  
391 services using telehealth to a patient located in this state, is  
392 not subject to the registration requirement under this section  
393 if the services are provided:

394 (a) In response to an emergency medical condition as  
395 defined in s. 395.002; or

396 (b) In consultation with a health care professional  
397 licensed in this state who has ~~ultimate~~ authority over the  
398 diagnosis and care of the patient.

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

401 460.406 Licensure by examination.—

402 (1) Any person desiring to be licensed as a chiropractic  
403 physician must apply to the department to take the licensure  
404 examination. There shall be an application fee set by the board  
405 not to exceed \$100 which shall be nonrefundable. There shall  
406 also be an examination fee not to exceed \$500 plus the actual

20211568e1

407 per applicant cost to the department for purchase of portions of  
408 the examination from the National Board of Chiropractic  
409 Examiners or a similar national organization, which may be  
410 refundable if the applicant is found ineligible to take the  
411 examination. The department shall examine each applicant who the  
412 board certifies has met all of the following criteria:

413 (a) Completed the application form and remitted the  
414 appropriate fee.

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

417 (c) Submitted proof satisfactory to the department that he  
418 or she is a graduate of a chiropractic college which is  
419 accredited by or has status with the Council on Chiropractic  
420 Education or its predecessor agency. However, any applicant who  
421 is a graduate of a chiropractic college that was initially  
422 accredited by the Council on Chiropractic Education in 1995, who  
423 graduated from such college within the 4 years immediately  
424 preceding such accreditation, and who is otherwise qualified is  
425 ~~shall be~~ eligible to take the examination. An ~~No~~ application for  
426 a license to practice chiropractic medicine may not ~~shall~~ be  
427 denied solely because the applicant is a graduate of a  
428 chiropractic college that subscribes to one philosophy of  
429 chiropractic medicine as distinguished from another.

430 (d)1. For an applicant who has matriculated in a  
431 chiropractic college before ~~prior to~~ July 2, 1990, completed at  
432 least 2 years of residence college work, consisting of a minimum  
433 of one-half the work acceptable for a bachelor's degree granted  
434 on the basis of a 4-year period of study, in a college or  
435 university accredited by an institutional accrediting agency

20211568e1

436 recognized and approved by the United States Department of  
437 Education. However, before ~~prior to~~ being certified by the board  
438 to sit for the examination, each applicant who has matriculated  
439 in a chiropractic college after July 1, 1990, must ~~shall~~ have  
440 been granted a bachelor's degree, based upon 4 academic years of  
441 study, by a college or university accredited by an institutional  
442 ~~a regional~~ accrediting agency which is a member of the  
443 Commission on Recognition of Postsecondary Accreditation.

444 2. Effective July 1, 2000, completed, before ~~prior to~~  
445 matriculation in a chiropractic college, at least 3 years of  
446 residence college work, consisting of a minimum of 90 semester  
447 hours leading to a bachelor's degree in a liberal arts college  
448 or university accredited by an institutional accrediting agency  
449 recognized and approved by the United States Department of  
450 Education. However, before ~~prior to~~ being certified by the board  
451 to sit for the examination, each applicant who has matriculated  
452 in a chiropractic college after July 1, 2000, must ~~shall~~ have  
453 been granted a bachelor's degree from an institution holding  
454 accreditation for that degree from an institutional ~~a regional~~  
455 accrediting agency which is recognized by the United States  
456 Department of Education. The applicant's chiropractic degree  
457 must consist of credits earned in the chiropractic program and  
458 may not include academic credit for courses from the bachelor's  
459 degree.

460 (e) Successfully completed the National Board of  
461 Chiropractic Examiners certification examination in parts I, II,  
462 III, and IV, and the physiotherapy examination of the National  
463 Board of Chiropractic Examiners, with a score approved by the  
464 board.



20211568e1

465 (f) Submitted to the department a set of fingerprints on a  
466 form and under procedures specified by the department, along  
467 with payment in an amount equal to the costs incurred by the  
468 Department of Health for the criminal background check of the  
469 applicant.

470

471 The board may require an applicant who graduated from an  
472 institution accredited by the Council on Chiropractic Education  
473 more than 10 years before the date of application to the board  
474 to take the National Board of Chiropractic Examiners Special  
475 Purposes Examination for Chiropractic, or its equivalent, as  
476 determined by the board. The board shall establish by rule a  
477 passing score.

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

480 464.008 Licensure by examination.—

481 ~~(4) If an applicant who graduates from an approved program~~  
482 ~~does not take the licensure examination within 6 months after~~  
483 ~~graduation, he or she must enroll in and successfully complete a~~  
484 ~~board-approved licensure examination preparatory course. The~~  
485 ~~applicant is responsible for all costs associated with the~~  
486 ~~course and may not use state or federal financial aid for such~~  
487 ~~costs. The board shall by rule establish guidelines for~~  
488 ~~licensure examination preparatory courses.~~

489 Section 12. Paragraph (e) of subsection (1) of section  
490 464.018, Florida Statutes, is amended to read:

491 464.018 Disciplinary actions.—

492 (1) The following acts constitute grounds for denial of a  
493 license or disciplinary action, as specified in ss. 456.072(2)

20211568e1

494 and 464.0095:

495 (e) Having been found guilty of, ~~regardless of~~  
496 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,  
497 regardless of adjudication, any offense prohibited under s.  
498 435.04 or similar statute of another jurisdiction; or having  
499 committed an act which constitutes domestic violence as defined  
500 in s. 741.28.

501 Section 13. Section 465.1893, Florida Statutes, is amended  
502 to read:

503 465.1893 Administration of long-acting antipsychotic  
504 medication by injection.—

505 (1) (a) A pharmacist, at the direction of a physician  
506 licensed under chapter 458 or chapter 459, may administer a  
507 long-acting antipsychotic medication or an extended-release  
508 medication indicated to treat opioid use disorder, alcohol use  
509 disorder, or other substance use disorders or dependencies,  
510 including, but not limited to, buprenorphine, naltrexone, or  
511 other medications that have been approved by the United States  
512 Food and Drug Administration by injection to a patient if the  
513 pharmacist:

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

516 2. Practices at a facility that accommodates privacy for  
517 nondeltoid injections and conforms with state rules and  
518 regulations regarding the appropriate and safe disposal of  
519 medication and medical waste.

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

521 (b) A separate prescription from a physician is required  
522 for each injection administered by a pharmacist under this

20211568e1

523 subsection.

524 (2) (a) A pharmacist seeking to administer a ~~long-acting~~  
525 ~~antipsychotic~~ medication described in paragraph (1) (a) by  
526 ~~injection~~ must complete an 8-hour continuing education course  
527 offered by:

528 1. A statewide professional association of physicians in  
529 this state accredited to provide educational activities  
530 designated for the American Medical Association Physician's  
531 Recognition Award (AMA PRA) Category 1 Credit or the American  
532 Osteopathic Association (AOA) Category 1-A continuing medical  
533 education (CME) credit; and

534 2. A statewide association of pharmacists.

535 (b) The course may be offered in a distance learning format  
536 and must be included in the 30 hours of continuing professional  
537 pharmaceutical education required under s. 465.009(1). The  
538 course shall have a curriculum of instruction that concerns the  
539 safe and effective administration of behavioral health,  
540 addiction, and antipsychotic medications by injection,  
541 including, but not limited to, potential allergic reactions to  
542 such medications.

543 Section 14. Paragraph (h) of subsection (1) of section  
544 466.028, Florida Statutes, is amended to read:

545 466.028 Grounds for disciplinary action; action by the  
546 board.—

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

549 (h) Being employed by any corporation, organization, group,  
550 or person other than a dentist, a hospital, or a professional  
551 corporation or limited liability company composed of dentists to

20211568e1

552 practice dentistry.

553 Section 15. Section 466.0285, Florida Statutes, is amended  
554 to read:

555 466.0285 Proprietorship by nondentists.—

556 (1) A person or an entity ~~No person~~ other than a dentist  
557 licensed under ~~pursuant to~~ this chapter, a specialty-licensed  
558 children's hospital licensed under chapter 395 as of January 1,  
559 2021, or nor any entity other than a professional corporation or  
560 limited liability company composed of dentists, may not:

561 (a) Employ a dentist or dental hygienist in the operation  
562 of a dental office.

563 (b) Control the use of any dental equipment or material  
564 while such equipment or material is being used for the provision  
565 of dental services, whether those services are provided by a  
566 dentist, a dental hygienist, or a dental assistant.

567 (c) Direct, control, or interfere with a dentist's clinical  
568 judgment. To direct, control, or interfere with a dentist's  
569 clinical judgment does not mean ~~may not be interpreted to mean~~  
570 dental services contractually excluded, the application of  
571 alternative benefits that may be appropriate given the dentist's  
572 prescribed course of treatment, or the application of  
573 contractual provisions and scope of coverage determinations in  
574 comparison with a dentist's prescribed treatment on behalf of a  
575 covered person by an insurer, health maintenance organization,  
576 or a prepaid limited health service organization.

577  
578 Any lease agreement, rental agreement, or other arrangement  
579 between a nondentist and a dentist whereby the nondentist  
580 provides the dentist with dental equipment or dental materials

20211568e1

581 ~~must shall~~ contain a provision whereby the dentist expressly  
582 maintains complete care, custody, and control of the equipment  
583 or practice.

584 (2) The purpose of this section is to prevent a nondentist  
585 from influencing or otherwise interfering with the exercise of a  
586 dentist's independent professional judgment. In addition to the  
587 acts specified in subsection (1), a no person or an entity that  
588 ~~who~~ is not a dentist licensed under pursuant to this chapter, a  
589 specialty-licensed children's hospital licensed under chapter  
590 395 as of January 1, 2021, or nor any entity that is not a  
591 professional corporation or limited liability company composed  
592 of dentists may not shall enter into a relationship with a  
593 licensee pursuant to which such unlicensed person or such entity  
594 exercises control over any of the following:

595 (a) The selection of a course of treatment for a patient,  
596 the procedures or materials to be used as part of such course of  
597 treatment, and the manner in which such course of treatment is  
598 carried out by the licensee.†

599 (b) The patient records of a dentist.†

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

602 (d) Decisions relating to office personnel and hours of  
603 practice.

604 (3) Any person who violates this section commits a felony  
605 of the third degree, punishable as provided in s. 775.082, s.  
606 775.083, or s. 775.084.

607 (4) Any contract or arrangement entered into or undertaken  
608 in violation of this section is shall be void as contrary to  
609 public policy. This section applies to contracts entered into or

20211568e1

610 renewed on or after October 1, 1997.

611 Section 16. Present subsections (13) and (14) of section  
612 467.003, Florida Statutes, are redesignated as subsections (14)  
613 and (15), respectively, a new subsection (13) is added to that  
614 section, and subsections (1) and (12) of that section are  
615 amended, to read:

616 467.003 Definitions.—As used in this chapter, unless the  
617 context otherwise requires:

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

621 (12) “Preceptor” means a physician licensed under chapter  
622 458 or chapter 459, a ~~licensed~~ midwife licensed under this  
623 chapter, or a certified nurse midwife licensed under chapter  
624 464, who has a minimum of 3 years’ professional experience, and  
625 who directs, teaches, supervises, and evaluates the learning  
626 experiences of a ~~the~~ student midwife as part of an approved  
627 midwifery program.

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

634 Section 17. Section 467.009, Florida Statutes, is amended  
635 to read:

636 467.009 Approved midwifery programs; education and training  
637 requirements.—

638 (1) The department shall adopt standards for approved

20211568e1

639 midwifery programs which must include, but need not be limited  
640 to, standards for all of the following:

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

- 644 1. Obstetrics.~~†~~
- 645 2. Neonatal pediatrics.~~†~~
- 646 3. Basic sciences.~~†~~
- 647 4. Female reproductive anatomy and physiology.~~†~~
- 648 5. Behavioral sciences.~~†~~
- 649 6. Childbirth education.~~†~~
- 650 7. Community care.~~†~~
- 651 8. Epidemiology.~~†~~
- 652 9. Genetics.~~†~~
- 653 10. Embryology.~~†~~
- 654 11. Neonatology.~~†~~
- 655 12. Applied pharmacology.~~†~~
- 656 13. The medical and legal aspects of midwifery.~~†~~
- 657 14. Gynecology and women's health.~~†~~
- 658 15. Family planning.~~†~~
- 659 16. Nutrition during pregnancy and lactation.~~†~~
- 660 17. Breastfeeding.~~†~~ and
- 661 18. Basic nursing skills;~~†~~ and any other instruction  
662 ~~determined by the department and council to be necessary.~~

663 (b) The standards shall incorporate the Core competencies,  
664 incorporating those established by the American College of Nurse  
665 Midwives and the Midwives Alliance of North America, including  
666 knowledge, skills, and professional behavior in all of the  
667 following areas:

20211568e1

- 668       1. Primary management, collaborative management, referral,  
669 and medical consultation.~~†~~
- 670       2. Antepartal, intrapartal, postpartal, and neonatal care.~~†~~
- 671       3. Family planning and gynecological care.~~†~~
- 672       4. Common complications.~~†~~ ~~and~~
- 673       5. Professional responsibilities.
- 674       (c) Noncurricular ~~The standards shall include noncurriculum~~  
675 matters under this section, including, but not limited to,  
676 staffing and teacher qualifications.
- 677       (2) An approved midwifery program must offer ~~shall include~~  
678 a course of study ~~and clinical training~~ for a minimum of 3 years  
679 which incorporates all of the standards, curriculum guidelines,  
680 and educational objectives provided in this section and the  
681 rules adopted hereunder.
- 682       (3) An approved midwifery program may reduce ~~If the~~  
683 ~~applicant is a registered nurse or a licensed practical nurse or~~  
684 ~~has previous nursing or midwifery education,~~ the required period  
685 of training ~~may be reduced~~ to the extent of the student's  
686 applicant's qualifications as a registered nurse or licensed  
687 practical nurse or based on prior completion of equivalent  
688 nursing or midwifery education, as determined ~~under rules~~  
689 ~~adopted by the department rule.~~ ~~In no case shall the training be~~  
690 ~~reduced to a period of less than 2 years.~~
- 691       (4) ~~(3)~~ An approved midwifery program may accept students  
692 ~~who To be accepted into an approved midwifery program, an~~  
693 ~~applicant shall have~~ both:
- 694       (a) A high school diploma or its equivalent.
- 695       (b) Taken three college-level credits each of math and  
696 English or demonstrated competencies in communication and



20211568e1

697 computation.

698 (5)(4) As part of its course of study, an approved  
699 midwifery program must require clinical training that includes  
700 all of the following:

701 (a) A student midwife, during training, shall undertake,  
702 under the supervision of a preceptor, The care of 50 women in  
703 each of the prenatal, intrapartal, and postpartal periods under  
704 the supervision of a preceptor., but The same women need not be  
705 seen through all three periods.

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

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

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

713 (b) A requirement that students demonstrate competency in  
714 the assessment of and differentiation, with particular emphasis  
715 on learning the ability to differentiate between low-risk  
716 pregnancies and high-risk pregnancies.

717 (7) A hospital or birthing center receiving public funds  
718 shall be required to provide student midwives access to observe  
719 labor, delivery, and postpartal procedures, provided the woman  
720 in labor has given informed consent. The Department of Health  
721 shall assist in facilitating access to hospital training for  
722 approved midwifery programs.

723 (8)(7) The Department of Education shall adopt curricular  
724 frameworks for midwifery programs conducted within public  
725 educational institutions under pursuant to this section.

20211568e1

726 ~~(8) Nonpublic educational institutions that conduct~~  
727 ~~approved midwifery programs shall be accredited by a member of~~  
728 ~~the Commission on Recognition of Postsecondary Accreditation and~~  
729 ~~shall be licensed by the Commission for Independent Education.~~

730 Section 18. Section 467.011, Florida Statutes, is amended  
731 to read:

732 467.011 Licensed midwives; qualifications; examination  
733 ~~Licensure by examination.~~

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

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

740 ~~(3) The department shall issue a license to practice~~  
741 ~~midwifery to an applicant who meets all of the following~~  
742 ~~criteria:~~

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

745 (a) An approved midwifery program.

746 (b) A medical or midwifery program offered in another  
747 state, jurisdiction, territory, or country whose graduation  
748 requirements were equivalent to or exceeded those required by s.  
749 467.009 and the rules adopted thereunder at the time of  
750 graduation.

751 (2) Demonstrates that he or she has ~~and~~ successfully  
752 completed a prelicensure course offered by an approved midwifery  
753 program. Students graduating from an approved midwifery program  
754 may meet this requirement by showing that the content

20211568e1

755 requirements for the prelicensure course were covered as part of  
756 their course of study.

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

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

762 Section 19. Section 467.0125, Florida Statutes, is amended  
763 to read:

764 467.0125 Licensed midwives; qualifications; Licensure by  
765 endorsement; temporary certificates.-

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

770 ~~(a)1. Holds a valid certificate or diploma from a foreign~~  
771 ~~institution of medicine or midwifery or from a midwifery program~~  
772 ~~offered in another state, bearing the seal of the institution or~~  
773 ~~otherwise authenticated, which renders the individual eligible~~  
774 ~~to practice midwifery in the country or state in which it was~~  
775 ~~issued, provided the requirements therefor are deemed by the~~  
776 ~~department to be substantially equivalent to, or to exceed,~~  
777 ~~those established under this chapter and rules adopted under~~  
778 ~~this chapter, and submits therewith a certified translation of~~  
779 ~~the foreign certificate or diploma; or~~

780 2. Holds an active, unencumbered ~~a valid certificate or~~  
781 ~~license to practice midwifery in another state, jurisdiction, or~~  
782 territory issued by that state, provided the licensing  
783 requirements of that state, jurisdiction, or territory at the

20211568e1

784 time the license was issued were ~~therefor are deemed by the~~  
785 ~~department to be~~ substantially equivalent to, or exceeded ~~to~~  
786 ~~exceed,~~ those established under this chapter and the rules  
787 adopted thereunder ~~under this chapter~~.

788 (b) Has successfully completed a ~~4-month~~ prelicensure  
789 course conducted by an approved midwifery program ~~and has~~  
790 ~~submitted documentation to the department of successful~~  
791 ~~completion~~.

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

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

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

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

- 808 1. A county health department;
- 809 2. A correctional facility;
- 810 3. A Department of Veterans' Affairs clinic;
- 811 4. A community health center funded by s. 329, s. 330, or  
812 s. 340 of the United States Public Health Service Act; or

20211568e1

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

817 (c) Will practice only under the supervision ~~auspices~~ of a  
818 physician licensed under ~~pursuant to~~ chapter 458 or chapter 459,  
819 a certified nurse midwife licensed under ~~pursuant to~~ part I of  
820 chapter 464, or a midwife licensed under this chapter, ~~who has a~~  
821 minimum of 3 years' professional experience.

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

824 (a) A requirement that a temporary certificateholder  
825 practice only in areas of critical need. The State Surgeon  
826 General shall determine the areas of critical need, which ~~Such~~  
827 areas ~~shall~~ include, but are not be limited to, health  
828 professional shortage areas designated by the United States  
829 Department of Health and Human Services.

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

833 1. Report a new practice area of critical need to the  
834 department; or

835 2. Voluntarily relinquish the temporary certificate.

836 (4) The department shall review a temporary  
837 certificateholder's practice at least annually to determine  
838 whether the certificateholder is meeting the requirements of  
839 subsections (2) and (3) and the rules adopted thereunder. If the  
840 department determines that a certificateholder is not meeting  
841 these requirements, the department must revoke the temporary

20211568e1

842 certificate.

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

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

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

855 ~~(e) The department shall review the practice under a~~  
856 ~~temporary certificate at least annually to ascertain that the~~  
857 ~~minimum requirements of the midwifery rules promulgated under~~  
858 ~~this chapter are being met. If it is determined that the minimum~~  
859 ~~requirements are not being met, the department shall immediately~~  
860 ~~revoke the temporary certificate.~~

861 ~~(f) The fee for a temporary certificate shall not exceed~~  
862 ~~\$50 and shall be in addition to the fee required for licensure.~~

863 Section 20. Section 467.205, Florida Statutes, is amended  
864 to read:

865 467.205 Approval of midwifery programs.—

866 (1) The department shall approve an accredited or state-  
867 licensed public or private institution seeking to provide  
868 midwifery education and training as an approved midwifery  
869 program in this state if the institution meets all of the  
870 following criteria:

20211568e1

871 (a) Submits an application for approval on a form approved  
872 by the department.

873 (b) Demonstrates to the department's satisfaction that the  
874 proposed midwifery program complies with s. 467.009 and the  
875 rules adopted thereunder.

876 (c) For a private institution, demonstrates its  
877 accreditation by a member of the Council for Higher Education  
878 Accreditation or an accrediting agency approved by the United  
879 States Department of Education and its licensing or provisional  
880 licensing by the Commission for Independent Education An  
881 organization desiring to conduct an approved program for the  
882 education of midwives shall apply to the department and submit  
883 such evidence as may be required to show that it complies with  
884 s. 467.009 and with the rules of the department. Any accredited  
885 or state-licensed institution of higher learning, public or  
886 private, may provide midwifery education and training.

887 ~~(2) The department shall adopt rules regarding educational~~  
888 ~~objectives, faculty qualifications, curriculum guidelines,~~  
889 ~~administrative procedures, and other training requirements as~~  
890 ~~are necessary to ensure that approved programs graduate midwives~~  
891 ~~competent to practice under this chapter.~~

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

896 (2)(4) The department shall, at least once every 3 years,  
897 certify whether each approved midwifery program is currently  
898 compliant, and has maintained compliance, ~~complies~~ with the  
899 requirements of standards developed under s. 467.009 and the

20211568e1

900 rules adopted thereunder.

901 (3)~~(5)~~ If the department finds that an approved midwifery  
902 program is not in compliance with the requirements of s. 467.009  
903 or the rules adopted thereunder, or has lost its accreditation  
904 status, the department must provide its finding to the program  
905 in writing and no longer meets the required standards, it may  
906 place the program on probationary status for a specified period  
907 of time, which may not exceed 3 years until such time as the  
908 standards are restored.

909 (4) If a program on probationary status does not come into  
910 compliance with the requirements of s. 467.009 or the rules  
911 adopted thereunder, or regain its accreditation status, as  
912 applicable, within the period specified by the department fails  
913 to correct these conditions within a specified period of time,  
914 the department may rescind the program's approval.

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

917 (6) The department may grant provisional approval of a new  
918 program seeking accreditation status, for a period not to exceed  
919 5 years, provided that all other requirements of this section  
920 are met.

921 (7) The department may rescind provisional approval of a  
922 program that fails to the meet the requirements of s. 467.009,  
923 this section, or the rules adopted thereunder, in accordance  
924 with procedures provided in subsections (3) and (4) may be  
925 granted pending the licensure results of the first graduating  
926 class.

927 Section 21. Subsections (2), (3), and (4) and paragraphs  
928 (a) and (b) of subsection (5) of section 468.803, Florida



20211568e1

929 Statutes, are amended to read:

930 468.803 License, registration, and examination  
931 requirements.-

932 (2) An applicant for registration, examination, or  
933 licensure must apply to the department on a form prescribed by  
934 the board for consideration of board approval. Each initial  
935 applicant shall submit ~~a set of fingerprints to the department~~  
936 ~~on a form and under procedures specified by the department,~~  
937 ~~along with payment in an amount equal to the costs incurred by~~  
938 ~~the department~~ for state and national criminal history checks of  
939 the applicant. ~~The department shall submit the fingerprints~~  
940 ~~provided by an applicant to the Department of Law Enforcement~~  
941 ~~for a statewide criminal history check, and the Department of~~  
942 ~~Law Enforcement shall forward the fingerprints to the Federal~~  
943 ~~Bureau of Investigation for a national criminal history check of~~  
944 ~~the applicant.~~ The board shall screen the results to determine  
945 if an applicant meets licensure requirements. The board shall  
946 consider for examination, registration, or licensure each  
947 applicant who the board verifies:

948 (a) Has submitted the completed application and completed  
949 the fingerprinting requirements ~~fingerprint forms~~ and has paid  
950 the applicable application fee, not to exceed \$500, ~~and the cost~~  
951 ~~of the state and national criminal history checks.~~ The  
952 application fee is ~~and cost of the criminal history checks shall~~  
953 ~~be~~ nonrefundable;

954 (b) Is of good moral character;

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

956 (d) Has completed the appropriate educational preparation.

957 (3) A person seeking to attain the orthotics or prosthetics

20211568e1

958 experience required for licensure in this state must be approved  
959 by the board and registered as a resident by the department.  
960 Although a registration may be held in both disciplines, for  
961 independent registrations the board may not approve a second  
962 registration until at least 1 year after the issuance of the  
963 first registration. Notwithstanding subsection (2), a person who  
964 has been approved by the board and registered by the department  
965 in one discipline may apply for registration in the second  
966 discipline without an additional state or national criminal  
967 history check during the period in which the first registration  
968 is valid. Each independent registration or dual registration is  
969 valid for 2 years after the date of issuance unless otherwise  
970 revoked by the department upon recommendation of the board. The  
971 board shall set a registration fee not to exceed \$500 to be paid  
972 by the applicant. A registration may be renewed once by the  
973 department upon recommendation of the board for a period no  
974 longer than 1 year, as such renewal is defined by the board by  
975 rule. The renewal fee may not exceed one-half the current  
976 registration fee. To be considered by the board for approval of  
977 registration as a resident, the applicant must have one of the  
978 following:

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

983 (b) A minimum of a bachelor's degree from an  
984 institutionally ~~a regionally~~ accredited college or university  
985 and a certificate in orthotics or prosthetics from a program  
986 recognized by the Commission on Accreditation of Allied Health

20211568e1

987 Education Programs, or its equivalent, as determined by the  
988 board.

989 (c) A minimum of a bachelor's degree from an  
990 institutionally ~~a regionally~~ accredited college or university  
991 and a dual certificate in both orthotics and prosthetics from  
992 programs recognized by the Commission on Accreditation of Allied  
993 Health Education Programs, or its equivalent, as determined by  
994 the board.

995 (4) The department may develop and administer a state  
996 examination for an orthotist or a prosthetist license, or the  
997 board may approve the existing examination of a national  
998 standards organization. The examination must be predicated on a  
999 minimum of a baccalaureate-level education and formalized  
1000 specialized training in the appropriate field. Each examination  
1001 must demonstrate a minimum level of competence in basic  
1002 scientific knowledge, written problem solving, and practical  
1003 clinical patient management. The board shall require an  
1004 examination fee not to exceed the actual cost to the board in  
1005 developing, administering, and approving the examination, which  
1006 fee must be paid by the applicant. To be considered by the board  
1007 for examination, the applicant must have:

1008 (a) For an examination in orthotics:

1009 1. A Bachelor of Science or higher-level postgraduate  
1010 degree in orthotics and prosthetics from an institutionally ~~a~~  
1011 ~~regionally~~ accredited college or university recognized by the  
1012 Commission on Accreditation of Allied Health Education Programs  
1013 or, at a minimum, a bachelor's degree from an institutionally ~~a~~  
1014 ~~regionally~~ accredited college or university and a certificate in  
1015 orthotics from a program recognized by the Commission on

20211568e1

1016 Accreditation of Allied Health Education Programs, or its  
1017 equivalent, as determined by the board; and

1018 2. An approved orthotics internship of 1 year of qualified  
1019 experience, as determined by the board, or an orthotic residency  
1020 or dual residency program recognized by the board.

1021 (b) For an examination in prosthetics:

1022 1. A Bachelor of Science or higher-level postgraduate  
1023 degree in orthotics and prosthetics from an institutionally ~~a~~  
1024 ~~regionally~~ accredited college or university recognized by the  
1025 Commission on Accreditation of Allied Health Education Programs  
1026 or, at a minimum, a bachelor's degree from an institutionally ~~a~~  
1027 ~~regionally~~ accredited college or university and a certificate in  
1028 prosthetics from a program recognized by the Commission on  
1029 Accreditation of Allied Health Education Programs, or its  
1030 equivalent, as determined by the board; and

1031 2. An approved prosthetics internship of 1 year of  
1032 qualified experience, as determined by the board, or a  
1033 prosthetic residency or dual residency program recognized by the  
1034 board.

1035 (5) In addition to the requirements in subsection (2), to  
1036 be licensed as:

1037 (a) An orthotist, the applicant must pay a license fee not  
1038 to exceed \$500 and must have:

1039 1. A Bachelor of Science or higher-level postgraduate  
1040 degree in Orthotics and Prosthetics from an institutionally ~~a~~  
1041 ~~regionally~~ accredited college or university recognized by the  
1042 Commission on Accreditation of Allied Health Education Programs,  
1043 or a bachelor's degree from an institutionally accredited  
1044 college or university and ~~with~~ a certificate in orthotics from a

20211568e1

1045 program recognized by the Commission on Accreditation of Allied  
1046 Health Education Programs, or its equivalent, as determined by  
1047 the board;

1048 2. An approved ~~appropriate~~ internship of 1 year of  
1049 qualified experience, as determined by the board, or a residency  
1050 program recognized by the board;

1051 3. Completed the mandatory courses; and

1052 4. Passed the state orthotics examination or the board-  
1053 approved orthotics examination.

1054 (b) A prosthetist, the applicant must pay a license fee not  
1055 to exceed \$500 and must have:

1056 1. A Bachelor of Science or higher-level postgraduate  
1057 degree in Orthotics and Prosthetics from an institutionally a  
1058 ~~regionally~~ accredited college or university recognized by the  
1059 Commission on Accreditation of Allied Health Education Programs,  
1060 or a bachelor's degree from an institutionally accredited  
1061 college or university and ~~with~~ a certificate in prosthetics from  
1062 a program recognized by the Commission on Accreditation of  
1063 Allied Health Education Programs, or its equivalent, as  
1064 determined by the board;

1065 2. An internship of 1 year of qualified experience, as  
1066 determined by the board, or a residency program recognized by  
1067 the board;

1068 3. Completed the mandatory courses; and

1069 4. Passed the state prosthetics examination or the board-  
1070 approved prosthetics examination.

1071 Section 22. Subsection (7) is added to section 483.801,  
1072 Florida Statutes, to read:

1073 483.801 Exemptions.—This part applies to all clinical

20211568e1

1074 laboratories and clinical laboratory personnel within this  
1075 state, except:

1076 (7) Persons performing alternate-site testing within a  
1077 hospital or offsite emergency department licensed under chapter  
1078 395.

1079 Section 23. Section 483.824, Florida Statutes, is amended  
1080 to read:

1081 483.824 Qualifications of clinical laboratory director.—A  
1082 clinical laboratory director must have 4 years of clinical  
1083 laboratory experience with 2 years of experience in the  
1084 specialty to be directed or be nationally board certified in the  
1085 specialty to be directed, and must meet one of the following  
1086 requirements:

1087 (1) Be a physician licensed under chapter 458 or chapter  
1088 459;

1089 (2) Hold an earned doctoral degree in a chemical, physical,  
1090 or biological science from an ~~a regionally~~ accredited  
1091 institution and maintain national certification requirements  
1092 equal to those required by the federal Health Care Financing  
1093 Administration; or

1094 (3) For the subspecialty of oral pathology, be a physician  
1095 licensed under chapter 458 or chapter 459 or a dentist licensed  
1096 under chapter 466.

1097 Section 24. Subsection (3) of section 490.003, Florida  
1098 Statutes, is amended to read:

1099 490.003 Definitions.—As used in this chapter:

1100 (3) (a) "Doctoral degree from an American Psychological  
1101 Association accredited program" means ~~Effective July 1, 1999,~~  
1102 ~~"doctoral-level psychological education" and "doctoral degree in~~

20211568e1

1103 ~~psychology"~~ mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in  
1104 psychology from a psychology program at an educational  
1105 institution that, at the time the applicant was enrolled and  
1106 graduated:

1107 1.~~(a)~~ Had institutional accreditation from an agency  
1108 recognized and approved by the United States Department of  
1109 Education or was recognized as a member in good standing with  
1110 the Association of Universities and Colleges of Canada; and

1111 2.~~(b)~~ Had programmatic accreditation from the American  
1112 Psychological Association.

1113 (b) "Doctoral degree in psychology" means a Psy.D., an  
1114 Ed.D. in psychology, or a Ph.D. in psychology from a psychology  
1115 program at an educational institution that, at the time the  
1116 applicant was enrolled and graduated, had institutional  
1117 accreditation from an agency recognized and approved by the  
1118 United States Department of Education or was recognized as a  
1119 member in good standing with the Association of Universities and  
1120 Colleges of Canada.

1121 Section 25. Subsection (1) of section 490.005, Florida  
1122 Statutes, is amended to read:

1123 490.005 Licensure by examination.—

1124 (1) Any person desiring to be licensed as a psychologist  
1125 shall apply to the department to take the licensure examination.  
1126 The department shall license each applicant who the board  
1127 certifies has met all of the following requirements:

1128 (a) Completed the application form and remitted a  
1129 nonrefundable application fee not to exceed \$500 and an  
1130 examination fee set by the board sufficient to cover the actual  
1131 per applicant cost to the department for development, purchase,

20211568e1

1132 and administration of the examination, but not to exceed \$500.

1133 (b) Submitted proof satisfactory to the board that the  
1134 applicant has received:

1135 1. A doctoral degree from an American Psychological  
1136 Association accredited program ~~Doctoral-level psychological~~  
1137 ~~education~~; or

1138 2. The equivalent of a doctoral degree from an American  
1139 Psychological Association accredited program ~~doctoral-level~~  
1140 ~~psychological education, as defined in s. 490.003(3)~~, from a  
1141 program at a school or university located outside the United  
1142 States of America which was officially recognized by the  
1143 government of the country in which it is located as an  
1144 institution or program to train students to practice  
1145 professional psychology. The applicant has the burden of  
1146 establishing that this requirement has been met.

1147 (c) Had at least 2 years or 4,000 hours of experience in  
1148 the field of psychology in association with or under the  
1149 supervision of a licensed psychologist meeting the academic and  
1150 experience requirements of this chapter or the equivalent as  
1151 determined by the board. The experience requirement may be met  
1152 by work performed on or off the premises of the supervising  
1153 psychologist if the off-premises work is not the independent,  
1154 private practice rendering of psychological services that does  
1155 not have a psychologist as a member of the group actually  
1156 rendering psychological services on the premises.

1157 (d) Passed the examination. However, an applicant who has  
1158 obtained a passing score, as established by the board by rule,  
1159 on the psychology licensure examination designated by the board  
1160 as the national licensure examination need only pass the Florida



20211568e1

1161 law and rules portion of the examination.

1162 Section 26. Subsection (1) of section 490.0051, Florida  
1163 Statutes, is amended to read:

1164 490.0051 Provisional licensure; requirements.—

1165 (1) The department shall issue a provisional psychology  
1166 license to each applicant who the board certifies has:

1167 (a) Completed the application form and remitted a  
1168 nonrefundable application fee not to exceed \$250, as set by  
1169 board rule.

1170 (b) Earned a doctoral degree from an American Psychological  
1171 Association accredited program in psychology as defined in s.  
1172 490.003(3).

1173 (c) Met any additional requirements established by board  
1174 rule.

1175 Section 27. Subsections (1), (3), and (4) of section  
1176 491.005, Florida Statutes, are amended to read:

1177 491.005 Licensure by examination.—

1178 (1) CLINICAL SOCIAL WORK.—Upon verification of  
1179 documentation and payment of a fee not to exceed \$200, as set by  
1180 board rule, ~~plus the actual per applicant cost to the department~~  
1181 ~~for purchase of the examination from the American Association of~~  
1182 ~~State Social Worker's Boards or a similar national organization,~~  
1183 the department shall issue a license as a clinical social worker  
1184 to an applicant who the board certifies has met all of the  
1185 following criteria:

1186 (a) ~~Has~~ Submitted an application and paid the appropriate  
1187 fee.

1188 (b)1. ~~Has~~ Received a doctoral degree in social work from a  
1189 graduate school of social work which at the time the applicant

20211568e1

1190 graduated was accredited by an accrediting agency recognized by  
1191 the United States Department of Education or ~~has~~ received a  
1192 master's degree in social work from a graduate school of social  
1193 work which at the time the applicant graduated:

- 1194       a. Was accredited by the Council on Social Work Education;  
1195       b. Was accredited by the Canadian Association of Schools of  
1196 Social Work; or  
1197       c. Has been determined to have been a program equivalent to  
1198 programs approved by the Council on Social Work Education by the  
1199 Foreign Equivalency Determination Service of the Council on  
1200 Social Work Education. An applicant who graduated from a program  
1201 at a university or college outside of the United States or  
1202 Canada must present documentation of the equivalency  
1203 determination from the council in order to qualify.

1204       2. The applicant's graduate program must have emphasized  
1205 direct clinical patient or client health care services,  
1206 including, but not limited to, coursework in clinical social  
1207 work, psychiatric social work, medical social work, social  
1208 casework, psychotherapy, or group therapy. The applicant's  
1209 graduate program must have included all of the following  
1210 coursework:

1211       a. A supervised field placement which was part of the  
1212 applicant's advanced concentration in direct practice, during  
1213 which the applicant provided clinical services directly to  
1214 clients.

1215       b. Completion of 24 semester hours or 32 quarter hours in  
1216 theory of human behavior and practice methods as courses in  
1217 clinically oriented services, including a minimum of one course  
1218 in psychopathology, and no more than one course in research,

20211568e1

1219 taken in a school of social work accredited or approved pursuant  
1220 to subparagraph 1.

1221 3. If the course title which appears on the applicant's  
1222 transcript does not clearly identify the content of the  
1223 coursework, the applicant shall be required to provide  
1224 additional documentation, including, but not limited to, a  
1225 syllabus or catalog description published for the course.

1226 (c) ~~Has~~ Had at least 2 years of clinical social work  
1227 experience, which took place subsequent to completion of a  
1228 graduate degree in social work at an institution meeting the  
1229 accreditation requirements of this section, under the  
1230 supervision of a licensed clinical social worker or the  
1231 equivalent who is a qualified supervisor as determined by the  
1232 board. An individual who intends to practice in Florida to  
1233 satisfy clinical experience requirements must register pursuant  
1234 to s. 491.0045 before commencing practice. If the applicant's  
1235 graduate program was not a program which emphasized direct  
1236 clinical patient or client health care services as described in  
1237 subparagraph (b)2., the supervised experience requirement must  
1238 take place after the applicant has completed a minimum of 15  
1239 semester hours or 22 quarter hours of the coursework required. A  
1240 doctoral internship may be applied toward the clinical social  
1241 work experience requirement. A licensed mental health  
1242 professional must be on the premises when clinical services are  
1243 provided by a registered intern in a private practice setting.  
1244 When a registered intern is providing clinical services through  
1245 telehealth, a licensed mental health professional must be  
1246 accessible by telephone or electronic means.

1247 (d) ~~Has~~ Passed a theory and practice examination designated

20211568e1

1248 by board rule ~~provided by the department for this purpose.~~

1249 (e) ~~Has~~ Demonstrated, in a manner designated by rule of the  
1250 board, knowledge of the laws and rules governing the practice of  
1251 clinical social work, marriage and family therapy, and mental  
1252 health counseling.

1253 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of  
1254 documentation and payment of a fee not to exceed \$200, as set by  
1255 board rule, plus the actual cost of the purchase of the  
1256 examination from the Association of Marital and Family Therapy  
1257 Regulatory Board, or similar national organization, the  
1258 department shall issue a license as a marriage and family  
1259 therapist to an applicant who the board certifies has met all of  
1260 the following criteria:

1261 (a) ~~Has~~ Submitted an application and paid the appropriate  
1262 fee.

1263 (b) 1. Obtained one of the following:

1264 a. ~~Has~~ A minimum of a master's degree with major emphasis  
1265 in marriage and family therapy or a closely related field from a  
1266 program accredited by the Commission on Accreditation for  
1267 Marriage and Family Therapy Education or from a Florida  
1268 university program accredited by the Council for Accreditation  
1269 of Counseling and Related Educational Programs.

1270 b. A minimum of a master's degree with an emphasis in  
1271 marriage and family therapy with a degree conferred date before  
1272 July 1, 2026, from an institutionally accredited Florida college  
1273 or university that is not yet accredited by the Commission on  
1274 Accreditation for Marriage and Family Therapy Education or the  
1275 Council for Accreditation of Counseling and Related Educational  
1276 Programs.

20211568e1

1277        2. Completed ~~and~~ graduate courses approved by the Board of  
1278 Clinical Social Work, Marriage and Family Therapy, and Mental  
1279 Health Counseling.

1280  
1281 If the course title that appears on the applicant's transcript  
1282 does not clearly identify the content of the coursework, the  
1283 applicant shall provide additional documentation, including, but  
1284 not limited to, a syllabus or catalog description published for  
1285 the course. The required master's degree must have been received  
1286 in an institution of higher education that, at the time the  
1287 applicant graduated, was fully accredited by an institutional a  
1288 ~~regional~~ accrediting body recognized by the Commission on  
1289 Recognition of Postsecondary Accreditation or publicly  
1290 recognized as a member in good standing with the Association of  
1291 Universities and Colleges of Canada, or an institution of higher  
1292 education located outside the United States and Canada which, at  
1293 the time the applicant was enrolled and at the time the  
1294 applicant graduated, maintained a standard of training  
1295 substantially equivalent to the standards of training of those  
1296 institutions in the United States which are accredited by an  
1297 institutional ~~a-regional~~ accrediting body recognized by the  
1298 Commission on Recognition of Postsecondary Accreditation. Such  
1299 foreign education and training must have been received in an  
1300 institution or program of higher education officially recognized  
1301 by the government of the country in which it is located as an  
1302 institution or program to train students to practice as  
1303 professional marriage and family therapists or psychotherapists.  
1304 The applicant has the burden of establishing that the  
1305 requirements of this provision have been met, and the board

20211568e1

1306 shall require documentation, such as an evaluation by a foreign  
1307 equivalency determination service, as evidence that the  
1308 applicant's graduate degree program and education were  
1309 equivalent to an accredited program in this country. An  
1310 applicant with a master's degree from a program that did not  
1311 emphasize marriage and family therapy may complete the  
1312 coursework requirement in a training institution fully  
1313 accredited by the Commission on Accreditation for Marriage and  
1314 Family Therapy Education recognized by the United States  
1315 Department of Education.

1316 (c) ~~Has~~ Had at least 2 years of clinical experience during  
1317 which 50 percent of the applicant's clients were receiving  
1318 marriage and family therapy services, which must have been ~~be~~ at  
1319 the post-master's level under the supervision of a licensed  
1320 marriage and family therapist with at least 5 years of  
1321 experience, or the equivalent, who is a qualified supervisor as  
1322 determined by the board. An individual who intends to practice  
1323 in Florida to satisfy the clinical experience requirements must  
1324 register pursuant to s. 491.0045 before commencing practice. If  
1325 a graduate has a master's degree with a major emphasis in  
1326 marriage and family therapy or a closely related field which did  
1327 not include all of the coursework required by paragraph (b),  
1328 credit for the post-master's level clinical experience may not  
1329 commence until the applicant has completed a minimum of 10 of  
1330 the courses required by paragraph (b), as determined by the  
1331 board, and at least 6 semester hours or 9 quarter hours of the  
1332 course credits must have been completed in the area of marriage  
1333 and family systems, theories, or techniques. Within the 2 years  
1334 of required experience, the applicant must ~~shall~~ provide direct

20211568e1

1335 individual, group, or family therapy and counseling to cases  
1336 including those involving unmarried dyads, married couples,  
1337 separating and divorcing couples, and family groups that include  
1338 children. A doctoral internship may be applied toward the  
1339 clinical experience requirement. A licensed mental health  
1340 professional must be on the premises when clinical services are  
1341 provided by a registered intern in a private practice setting.  
1342 When a registered intern is providing clinical services through  
1343 telehealth, a licensed mental health professional must be  
1344 accessible by telephone or other electronic means.

1345 (d) ~~Has~~ Passed a theory and practice examination designated  
1346 by board rule ~~provided by the department.~~

1347 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,  
1348 knowledge of the laws and rules governing the practice of  
1349 clinical social work, marriage and family therapy, and mental  
1350 health counseling.

1351  
1352 For the purposes of dual licensure, the department shall license  
1353 as a marriage and family therapist any person who meets the  
1354 requirements of s. 491.0057. Fees for dual licensure may not  
1355 exceed those stated in this subsection.

1356 (4) MENTAL HEALTH COUNSELING.—Upon verification of  
1357 documentation and payment of a fee not to exceed \$200, as set by  
1358 board rule, ~~plus the actual per applicant cost of purchase of~~  
1359 ~~the examination from the National Board for Certified Counselors~~  
1360 ~~or its successor organization,~~ the department shall issue a  
1361 license as a mental health counselor to an applicant who the  
1362 board certifies has met all of the following criteria:

1363 (a) ~~Has~~ Submitted an application and paid the appropriate

20211568e1

1364 fee.

1365 (b)1. Obtained ~~Has~~ a minimum of an earned master's degree  
1366 from a mental health counseling program accredited by the  
1367 Council for the Accreditation of Counseling and Related  
1368 Educational Programs which consists of at least 60 semester  
1369 hours or 80 quarter hours of clinical and didactic instruction,  
1370 including a course in human sexuality and a course in substance  
1371 abuse. If the master's degree is earned from a program related  
1372 to the practice of mental health counseling which is not  
1373 accredited by the Council for the Accreditation of Counseling  
1374 and Related Educational Programs, then the coursework and  
1375 practicum, internship, or fieldwork must consist of at least 60  
1376 semester hours or 80 quarter hours and meet all of the following  
1377 requirements:

1378 a. Thirty-three semester hours or 44 quarter hours of  
1379 graduate coursework, which must include a minimum of 3 semester  
1380 hours or 4 quarter hours of graduate-level coursework in each of  
1381 the following 11 content areas: counseling theories and  
1382 practice; human growth and development; diagnosis and treatment  
1383 of psychopathology; human sexuality; group theories and  
1384 practice; individual evaluation and assessment; career and  
1385 lifestyle assessment; research and program evaluation; social  
1386 and cultural foundations; substance abuse; and legal, ethical,  
1387 and professional standards issues in the practice of mental  
1388 health counseling. Courses in research, thesis or dissertation  
1389 work, practicums, internships, or fieldwork may not be applied  
1390 toward this requirement.

1391 b. A minimum of 3 semester hours or 4 quarter hours of  
1392 graduate-level coursework addressing diagnostic processes,



20211568e1

1393 including differential diagnosis and the use of the current  
1394 diagnostic tools, such as the current edition of the American  
1395 Psychiatric Association's Diagnostic and Statistical Manual of  
1396 Mental Disorders. The graduate program must have emphasized the  
1397 common core curricular experience.

1398 c. The equivalent, as determined by the board, of at least  
1399 700 hours of university-sponsored supervised clinical practicum,  
1400 internship, or field experience that includes at least 280 hours  
1401 of direct client services, as required in the accrediting  
1402 standards of the Council for Accreditation of Counseling and  
1403 Related Educational Programs for mental health counseling  
1404 programs. This experience may not be used to satisfy the post-  
1405 master's clinical experience requirement.

1406 2. ~~Has~~ Provided additional documentation if a course title  
1407 that appears on the applicant's transcript does not clearly  
1408 identify the content of the coursework. The documentation must  
1409 include, but is not limited to, a syllabus or catalog  
1410 description published for the course.

1411  
1412 Education and training in mental health counseling must have  
1413 been received in an institution of higher education that, at the  
1414 time the applicant graduated, was fully accredited by an  
1415 institutional ~~a regional~~ accrediting body recognized by the  
1416 Council for Higher Education Accreditation or its successor  
1417 organization or publicly recognized as a member in good standing  
1418 with the Association of Universities and Colleges of Canada, or  
1419 an institution of higher education located outside the United  
1420 States and Canada which, at the time the applicant was enrolled  
1421 and at the time the applicant graduated, maintained a standard

20211568e1

1422 of training substantially equivalent to the standards of  
1423 training of those institutions in the United States which are  
1424 accredited by an institutional ~~a regional~~ accrediting body  
1425 recognized by the Council for Higher Education Accreditation or  
1426 its successor organization. Such foreign education and training  
1427 must have been received in an institution or program of higher  
1428 education officially recognized by the government of the country  
1429 in which it is located as an institution or program to train  
1430 students to practice as mental health counselors. The applicant  
1431 has the burden of establishing that the requirements of this  
1432 provision have been met, and the board shall require  
1433 documentation, such as an evaluation by a foreign equivalency  
1434 determination service, as evidence that the applicant's graduate  
1435 degree program and education were equivalent to an accredited  
1436 program in this country. Beginning July 1, 2025, an applicant  
1437 must have a master's degree from a program that is accredited by  
1438 the Council for Accreditation of Counseling and Related  
1439 Educational Programs, the Masters in Psychology and Counseling  
1440 Accreditation Council, or an equivalent accrediting body which  
1441 consists of at least 60 semester hours or 80 quarter hours to  
1442 apply for licensure under this paragraph.

1443 (c) ~~Has~~ Had at least 2 years of clinical experience in  
1444 mental health counseling, which must be at the post-master's  
1445 level under the supervision of a licensed mental health  
1446 counselor or the equivalent who is a qualified supervisor as  
1447 determined by the board. An individual who intends to practice  
1448 in Florida to satisfy the clinical experience requirements must  
1449 register pursuant to s. 491.0045 before commencing practice. If  
1450 a graduate has a master's degree with a major related to the

20211568e1

1451 practice of mental health counseling which did not include all  
1452 the coursework required under sub-subparagraphs (b)1.a. and b.,  
1453 credit for the post-master's level clinical experience may not  
1454 commence until the applicant has completed a minimum of seven of  
1455 the courses required under sub-subparagraphs (b)1.a. and b., as  
1456 determined by the board, one of which must be a course in  
1457 psychopathology or abnormal psychology. A doctoral internship  
1458 may be applied toward the clinical experience requirement. A  
1459 licensed mental health professional must be on the premises when  
1460 clinical services are provided by a registered intern in a  
1461 private practice setting. When a registered intern is providing  
1462 clinical services through telehealth, a licensed mental health  
1463 professional must be accessible by telephone or other electronic  
1464 means.

1465 (d) ~~Has~~ Passed a theory and practice examination designated  
1466 by department rule ~~provided by the department for this purpose.~~

1467 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,  
1468 knowledge of the laws and rules governing the practice of  
1469 clinical social work, marriage and family therapy, and mental  
1470 health counseling.

1471 Section 28. Effective July 1, 2022, paragraph (b) of  
1472 subsection (8) of section 381.986, Florida Statutes, is amended  
1473 to read:

1474 381.986 Medical use of marijuana.—

1475 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

1476 (b) An applicant for licensure as a medical marijuana  
1477 treatment center shall apply to the department on a form  
1478 prescribed by the department and adopted in rule. The department  
1479 shall adopt rules pursuant to ss. 120.536(1) and 120.54

20211568e1

1480 establishing a procedure for the issuance and biennial renewal  
1481 of licenses, including initial application and biennial renewal  
1482 fees sufficient to cover the costs of implementing and  
1483 administering this section, and establishing supplemental  
1484 licensure fees for payment beginning May 1, 2018, sufficient to  
1485 cover the costs of administering ss. 381.989 and 1004.4351. The  
1486 department shall identify applicants with strong diversity plans  
1487 reflecting this state's commitment to diversity and implement  
1488 training programs and other educational programs to enable  
1489 minority persons and minority business enterprises, as defined  
1490 in s. 288.703, and veteran business enterprises, as defined in  
1491 s. 295.187, to compete for medical marijuana treatment center  
1492 licensure and contracts. Subject to the requirements in  
1493 subparagraphs (a)2.-4., the department shall issue a license to  
1494 an applicant if the applicant meets the requirements of this  
1495 section and pays the initial application fee. The department  
1496 shall renew the licensure of a medical marijuana treatment  
1497 center biennially if the licensee meets the requirements of this  
1498 section and pays the biennial renewal fee. However, the  
1499 department may not renew the license of a medical marijuana  
1500 treatment center that has not begun to cultivate, process, and  
1501 dispense marijuana by the date that the medical marijuana  
1502 treatment center is required to renew its license. An individual  
1503 may not be an applicant, owner, officer, board member, or  
1504 manager on more than one application for licensure as a medical  
1505 marijuana treatment center. An individual or entity may not be  
1506 awarded more than one license as a medical marijuana treatment  
1507 center. An applicant for licensure as a medical marijuana  
1508 treatment center must demonstrate:

20211568e1

1509           1. That, for the 5 consecutive years before submitting the  
1510 application, the applicant has been registered to do business in  
1511 the state.

1512           2. Possession of a valid certificate of registration issued  
1513 by the Department of Agriculture and Consumer Services pursuant  
1514 to s. 581.131.

1515           3. The technical and technological ability to cultivate and  
1516 produce marijuana, including, but not limited to, low-THC  
1517 cannabis.

1518           4. The ability to secure the premises, resources, and  
1519 personnel necessary to operate as a medical marijuana treatment  
1520 center.

1521           5. The ability to maintain accountability of all raw  
1522 materials, finished products, and any byproducts to prevent  
1523 diversion or unlawful access to or possession of these  
1524 substances.

1525           6. An infrastructure reasonably located to dispense  
1526 marijuana to registered qualified patients statewide or  
1527 regionally as determined by the department.

1528           7. The financial ability to maintain operations for the  
1529 duration of the 2-year approval cycle, including the provision  
1530 of certified financial statements to the department.

1531           a. Upon approval, the applicant must post a \$5 million  
1532 performance bond issued by an authorized surety insurance  
1533 company rated in one of the three highest rating categories by a  
1534 nationally recognized rating service. However, a medical  
1535 marijuana treatment center serving at least 1,000 qualified  
1536 patients is only required to maintain a \$2 million performance  
1537 bond.

20211568e1

1538           b. In lieu of the performance bond required under sub-  
1539 subparagraph a., the applicant may provide an irrevocable letter  
1540 of credit payable to the department or provide cash to the  
1541 department. If provided with cash under this sub-subparagraph,  
1542 the department shall deposit the cash in the Grants and  
1543 Donations Trust Fund within the Department of Health, subject to  
1544 the same conditions as the bond regarding requirements for the  
1545 applicant to forfeit ownership of the funds. If the funds  
1546 deposited under this sub-subparagraph generate interest, the  
1547 amount of that interest shall be used by the department for the  
1548 administration of this section.

1549           8. That all owners, officers, board members, and managers  
1550 have passed a background screening pursuant to subsection (9).

1551           9. The employment of a medical director to supervise the  
1552 activities of the medical marijuana treatment center.

1553           10. A diversity plan that promotes and ensures the  
1554 involvement of minority persons and minority business  
1555 enterprises, as defined in s. 288.703, or veteran business  
1556 enterprises, as defined in s. 295.187, in ownership, management,  
1557 and employment. An applicant for licensure renewal must show the  
1558 effectiveness of the diversity plan by including the following  
1559 with his or her application for renewal:

1560           a. Representation of minority persons and veterans in the  
1561 medical marijuana treatment center's workforce;

1562           b. Efforts to recruit minority persons and veterans for  
1563 employment; and

1564           c. A record of contracts for services with minority  
1565 business enterprises and veteran business enterprises.

1566           Section 29. Except as otherwise expressly provided in this

20211568e1

1567 | act, this act shall take effect July 1, 2021. |