

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Health Policy

BILL: CS/SB 466

INTRODUCER: Senator Torres and others

SUBJECT: Military Medics and Corpsmen of Florida Program

DATE: January 17, 2022 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rossitto-Van Winkle	Brown	HP	Fav/CS
2.	_____	_____	MS	_____
3.	_____	_____	AP	_____

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 466 authorizes the Department of Health (DOH) to establish and administer the Military Medics and Corpsmen of Florida (MMACOF) program, which is created under the bill, in collaboration with Florida Is For Veterans, Inc. (FIFV). The program is designed to assist veterans and their spouses in finding pathways toward clinical, leadership, and nonclinical careers in health care or health care-related fields in Florida.

The MMACOF program requires the FIFV to recruit and review the military eligibility of veterans and their spouses and to assist military-trained health care veterans (MTHCV) in applying for the MMACOF Health Care Certification program for the purpose of assisting MTHCVs obtain employment with participating health care providers, maintain medical skills, address the shortage of health care professionals in this state, and work toward obtaining appropriate health care registration, certification, or licensure.

Under the program the DOH is responsible for issuing MMACOF Health Care Certificates to MTHCVs with specific clinical skills, as determined by the Board of Medicine (BOM) to practice without a license under direct supervision of an appropriately licensed or certified health care practitioner.

The MMACOF program also assists veterans and their spouses, who do not meet the definition of a MTHCV, but who have served in health care-related fields, to receive assistance from the

program in résumé writing, mentorship, and obtaining employment with participating health care providers. For veterans and their spouses who have gained management experience, or completed an advanced degree, the MMACOF program is charged with helping them find civilian health care leadership and management employment in a variety of health care disciplines.

The bill provides an effective date of July 1, 2022.

II. Present Situation:

Florida Department of Veterans' Affairs (FDVA)

The Legislature created the FDVA to assist all former, present, and future members of the U.S. Armed Forces and their dependents in preparing claims for and securing compensation, hospitalization, career training, and other benefits or privileges to which they are, or may become, entitled to under federal or state law by reason of their service in the U.S. Armed Forces. All services rendered under the FDVA must be without charge to the claimant.¹ More than 1.5 million veterans currently live in Florida, making the state's veteran population the third largest nationally.²

Florida Is For Veterans, Inc., (FIFV)

Section 295.21, F.S., created "Florida Is For Veterans, Inc.," within the FDVA as a nonprofit corporation that is registered, incorporated, organized, and operated under ch. 617, F.S.; and is not part of state government. FIFV is a separate budget entity and is not subject to the control of the FDVA.

The purpose of FIFV is to promote Florida as a veteran-friendly state that seeks to provide veterans with employment opportunities and promotes the hiring of veterans by the business community. FIFV encourages retired and recently separated military personnel to remain in the state or to make Florida their permanent residence. FIFV's mission is to promote the value of military skill sets to businesses, assist in tailoring the training of veterans to match the needs of the state employment marketplace, and enhance the entrepreneurial skills of veterans.

All agencies of the state are authorized and directed to provide technical assistance to FIFV as it may require and to identify programs within each agency to provide assistance or benefits to veterans who are located in Florida or are considering relocation to the state. The FDVA may authorize the FIFV to use of the FDVA property, facilities, and personnel services and may prescribe, by contract, any condition with which FIFV must comply in order to use the FDVA property, facilities, or personnel services.³

¹ Section 292.05(1), F.S.

² Florida Department of Veterans' Affairs, *Our Veterans*, available at <http://floridavets.org/our-veterans/> (last visited Dec. 8, 2021).

³ Section 295.21, F.S.

United States Armed Forces

The U.S. Armed Forces are made up of the six military branches: Air Force, Army, Coast Guard,⁴ Marine Corps, Navy and, most recently, the Space Force. There are three general categories of military personnel: active duty (full-time soldiers and sailors); reserve & guard forces (usually working in civilian jobs but can be called to full-time active duty); and veterans and retirees (past members of the military). Additionally, there are the millions of family members of military members, past and present. The President of the United States is the commander in chief of the U.S. Armed Forces and is responsible for all final decisions. The secretary of the U.S. Department of Defense (DOD) has control over the military and each branch, except the Coast Guard, which is under the Department of Homeland Security (DHS). With more than two million civilian and military employees, the U.S. DOD is the world's largest employer.⁵

Enlisted Members vs. Officers

Joining the U.S. Armed Forces as an enlisted member or an officer has a significant impact on the type of experience and training a new recruit receives. All enlisted jobs require a high school diploma, although, with certain exceptions, a passing General Education Development (GED) test score is acceptable. While enlisted careers do include infantry roles, most jobs involve hands-on training for mechanical, transportation, human service, or office fields that transfer well to the civilian world.

Almost all officer positions require a four-year college degree or equivalent. Officers are the managers of the military, acting in leadership roles that require planning, directing operations, and making critical decisions. Officer positions also include careers that require advanced degrees, such as law and medicine.⁶

Enlisted Personnel

Each branch of the U.S. Armed Forces employs its own unique set of titles for its various enlisted personnel, and all branches of the service utilize the same test to assign Advanced Individualized Training (AIT) to new recruits, though different branches use different classification systems. The U.S. Army and Marines use the MOS Job Line Categories,⁷ the Navy

⁴ The Coast Guard was originally part of the U.S. Department of Transportation (DOT), but after the terrorist attacks of September 11, 2001, President George W. Bush established the Department of Homeland Security (DHS), and the Coast Guard was transferred from civilian leadership to military leadership as part of DHS in 2003. United States Coast Guard, *Historian's Office—Timeline 1900s-2000s*, available at <https://www.history.uscg.mil/Complete-Time-Line/Time-Line-1900-2000/> (last visited Jan. 9, 2022).

⁵ Military.com, *What Are the Branches of the US Military?* available at <https://www.military.com/join-armed-forces/us-military-branches-overview.html> (last visited Dec. 8, 2021).

⁶ Today's Military, *Enlisted and Officer Paths*, available at <https://www.todaysmilitary.com/ways-to-serve/enlisted-officer-paths> (last visited Dec. 8, 2021).

⁷ See Operation Military Kids, Army, *Army Combat Medic Specialist (MOS 68W): Career Details*, available at <https://www.operationmilitarykids.org/army-combat-medic-specialist-mos-68w/> (last visited Jan. 13, 2022); Operation Military Kids, Marines, *Marine Corps MOS List And ASVAB Scores*, available at <https://www.operationmilitarykids.org/marine-corps-mos-list-asvab-scores/> (last visited Jan. 9, 2022).

and Coast Guard use job “Ratings” categories, though not the same ones,^{8,9} and the Air Force and Space Force both use MOS and Air Force Specialty Codes (AFSC).

For the sake of brevity, this analysis will use the U.S. Army, the country’s oldest military branch, as the generic model for the basic discussion of the recruitment process in the U.S. Armed Forces as it pertains to traditional health care jobs available to enlisted personnel, generally, recognizing that each service branch has its own unique nuances and requirements for similar healthcare jobs.

To become an enlisted soldier in the U.S. Army, a person must:

- Be U.S. citizen or permanent resident with a valid Green Card (Permanent Resident Card);
- Be between 17-35 years old;
- Achieve a minimum score on the Armed Services Vocational Aptitude Battery (ASVAB) exam;
- Meet medical, moral, and [physical requirements](#); and
- Be a high school graduate or equivalent, in most cases.

Officers

Becoming an Army officer is different from enlisting as a soldier. Officers are responsible for leading soldiers and planning missions. Training and initial requirements for accepting a commission as an officer vary, but generally, to qualify a person must:

- Be a college graduate by the time he or she is commissioned as an officer;
- Be between 18 and 32 years old;
- Meet medical, moral, and [physical requirements](#); and
- Be eligible for a secret security clearance.

If a person is qualified, there are four main paths to becoming an Army officer:

- The Army Reserve Officers’ Training Corps (ROTC);
- Direct commission;
- Officer Candidate School (OCS); or
- Attending the U.S. Military Academy.¹⁰

Basic Training

No matter which branch of the U.S. Armed Forces a recruit chooses, he or she will go to basic training. Basic training, often called boot camp, prepares recruits for all elements of service: physical, mental, and emotional. It gives service members the basic tools necessary to perform the roles that will be assigned for the duration of their tour. Each of the services has its own training program, tailoring the curriculum to the specialized nature of its role in the Military. The

⁸ TheBalanceCareers.com, Careers, Navy Jobs, *Navy Hospital Corpsman (HM) Enlisted Ratings* available at <https://www.thebalancecareers.com/hospital-corpsman-3345823> (last visited Jan. 11, 2022).

⁹ TheBalanceCareers.com, U.S. Military Careers, Military Branches, *Pros and Cons of Enlisting in the Coast Guard*, available at <https://www.thebalancecareers.com/pros-cons-enlisting-in-coast-guard-4061204#toc-coast-guard-requirements> (last visited Jan. 11, 2022).

¹⁰ U.S. Army, Learn How to Join, *Army Eligibility Requirements*, available at <https://www.goarmy.com/learn/understanding-the-asvab.html> (last visited Jan. 7, 2022).

length of basic training varies from eight to 13 weeks, depending on the branch of the service. Basic training includes daily cardio, weight training, pushups and sit-ups.¹¹

Armed Services Vocational Aptitude Battery (ASVAB)

As previously noted, all potential U.S. Armed Force members, during the recruiting process, must take the ASVAB exam, which is administered while the recruit is at the Military Entrance Processing Station (MEPS). The ASVAB exam is a multiple-choice exam that helps determine the military careers for which an individual is best suited. There are two versions of the test:

- The enlistment version, which is given at a MEPS¹² and is used for recruiting purposes only;
- The student version, also known Career Exploration Program (CEP), used for career exploration, which is given in high schools and community colleges, at job corps centers, and at correctional facilities.¹³

The ASVAB exam is a series of subtests to help the Army and Marines determine what MOS job classification, what Rating in the Navy,^{14,15,16} or what Air Force Specialty Code (AFSC) in the Air Force and Space Force, an individual might be best qualified for. It is an aptitude test, not an intelligence test. The ASVAB exam has two different scores and is divided into different sections:

- Arithmetic Reasoning (AR): Measures ability to solve basic arithmetic word problems;
- Assembling Objects (AO): Measures ability with spatial relationships;
- Auto & Shop Information (AS): Measures knowledge of automotive maintenance and repair, as well as wood and metal shop practices;
- Electronics Information (EI): Measures knowledge of electrical current, circuits, devices, and electronic systems;

¹¹ Today's Military, *Boot Camp*, available at <https://www.todaysmilitary.com/joining-eligibility/boot-camp> (last visited Dec. 8, 2021).

¹² Today's Military, *Enlisting in the Military*, available at <https://www.todaysmilitary.com/joining-eligibility/enlisting-military> (last visited Dec. 8, 2021). The MEPS is a joint Service organization that determines an applicant's physical qualifications, aptitude and moral standards as set by each branch of military service. There are MEPS locations all over the country.

¹³ Operation Military Kids, *Navy HM Hospital Corpsman: Everything You Wanted To Know* (Dec. 19, 2019) available at <https://www.operationmilitarykids.org/navy-hospital-corpsman/#what-does-it-take-to-become-a-corpsman-in-the-navy> (last visited Dec. 8, 2021).

¹⁴ TheBalanceCareers.com, *Military Branches, U.S. Navy, Navy Careers: What You Need to Know About Navy Enlisted Ratings*, (update Sept. 20, 2019) available at <https://www.thebalancecareers.com/navy-enlisted-rating-job-descriptions-3345844> (last visited Jan. 9, 2022). When it comes to Navy jobs, the sea service uses a different language than most industries. You might hear references to Navy MOS, or Military Occupational Specialties, but the most common way to refer to enlisted jobs is with the term "ratings."

¹⁵ The U. S. Marines do not have a dedicated medical corps, but use Navy corpsmen (HS) as their medical support personnel. Corpsman train as soldiers as well as medical technicians, and serve alongside both Navy and Marine forces. They work in medical settings in the field, in military hospitals and in medical clinics and ships. McQuerrey, Lisa, CHRON, *What Is a Corpsman in the Marines?* (updated Jul. 1, 2018), available at <https://work.chron.com/corpsman-marines-6677.html> (last visited Jan. 9, 2022).

¹⁶ Unlike the Army, Navy and Air Force, the Coast Guard does not have a dedicated medical corps. However, a yeoman can still pursue a career in health care with the Coast Guard, because the enlisted member's AIT rating for the health services technicians (HS), who is an enlisted Navy hospital corpsman (HM), who serve in a U. S. Coast Guard unit. Eliodoro Reinol, Askinglot, updated Jan. 3, 2020, *What is a corpsman in the Coast Guard?* available at <https://askinglot.com/what-is-a-corpsman-in-the-coast-guard> (last visited Jan. 9, 2022).

- General Science (GS): Measures knowledge of life science, earth and space science, and physical science;
- Mathematics Knowledge (MK): Measures knowledge of mathematical concepts and applications;
- Mechanical Comprehension (MC): Measures knowledge of the principles of mechanical devices, structural support, and properties of materials;
- Paragraph Comprehension (PC): Measures ability to obtain information from written material; and.
- Word Knowledge (WK): Measures ability to understand the meaning of words through synonyms.

The *Armed Forces Qualification Test* (AFQT) score includes arithmetic reasoning, mathematics knowledge, word knowledge, and paragraph comprehensions, and determines if an individual is qualified at all to serve in any branch of the military. A recruit’s score on the remaining aptitude subtests are used for job placement. All nine ASVAB subtests are scored as a percentile in relation to how well the recruit did in comparison with all other recruits who took the same ASVAB test.^{17,18}

The Army currently has the longest list of available MOS job line categories.¹⁹ The Army offers over 150 MOS specialties and uses the aforementioned subtest categories to create MOS job line categories relevant to the type of jobs a recruit is best qualified for, as follows:

MOS Job Line Categories	ASVAB Subtests Most Relevant to MOS
Clerical (CL)	AR, MK, VE ²⁰
Combat (CO)	AR, AS, CS, and MC
Electronics (EL)	AR, EI, GS, and MK
Field Artillery (FA)	AR, CS, MC, and MK
General Maintenance (GM)	AS, EI, GS, and MK
General Technical (GT)	AR and VE
Mechanical Maintenance (MM)	AS, EI, and MC
Operators & Food (OF)	AS, MC, and VE
Surveillance & Communications (SC)	AR, AS, MC, and VE
Skilled Technical (ST)	GS, MC, MK, and VE

The U.S. Army uses some of the following traditional health care job classifications as MOS job lines. Listed below are the most relevant ASVAB subtests scores required for those jobs, which combine to create the potential recruit’s required minimum scores for suitability for a specific

¹⁷ Operation Military Kids, General Military Questions, *ASVAB Scores and the Military Jobs that Qualify*, available at <https://www.operationmilitarykids.org/asvab-scores-and-the-military-jobs-that-qualify/#army-asvab-scores> (last visited Jan. 6, 2022).

¹⁸ U.S. Army, Learn How to Join, *Understanding the ASVAB Test*, available at <https://www.goarmy.com/learn/understanding-the-asvab.100-0-99-0-0-110-0-99-0-101.results.html> (last visited Jan. 13, 2022).

¹⁹ Operation Military Kids, General Military Questions, *ASVAB Scores and the Military Jobs that Qualify*, available at <https://www.operationmilitarykids.org/asvab-scores-and-the-military-jobs-that-qualify/#army-asvab-scores> (last visited Jan. 6, 2022).

²⁰ *Id.* VE, or Verbal Expression, is the sum of PC and WK.

MOS job line. Again, for brevity purposes, only U.S. Army traditional health care jobs available to enlisted personnel are listed. Each footnote provides the specific qualifications and training to achieve those jobs in the U.S. Army to provide more detail. The other branches of the U.S. Armed Forces also have similar traditional health care jobs.

MOS	Army Job Title	Length of Time of Training ²¹	Minimum ASVAB Subtest Scores
68B	Orthopedic Specialist ²²	14 weeks	ST: 101, GT: 107
68C	Practical Nursing Specialist ²³	52 weeks	ST: 101, GT: 107
68E	Dental Specialist ²⁴	8 weeks	ST: 91
68F	Physical Therapy Specialist ²⁵	28 weeks	ST: 101, GT: 107
68H	Optical Laboratory Specialist ²⁶	18 weeks	GM: 98
68K	Medical Laboratory Specialist ²⁷	52 weeks	ST: 106
68L	Occupational Therapy Specialist ²⁸	34 weeks	ST: 101, GT: 107
68N	Cardiovascular Specialist ²⁹	56 weeks	ST: 101, GT: 107

²¹ Operation Military Kids, Army, *What is Army AIT?* available at <https://www.operationmilitarykids.org/army-ait/> (last visited Jan. 13, 2022).

²² U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Orthopedic Specialist (68B)*, available at <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories/medical-and-emergency/orthopedic-specialist.html> (last visited Jan. 13, 2022).

²³ U.S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, General Care, *Practical Nursing Specialist (68C)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/general-care/68e-dental-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Practical Nursing Specialist (MOS 68C)*, available at <https://www.operationmilitarykids.org/army-practical-nursing-specialist-mos-68c/> (last visited Jan. 13, 2022).

²⁴ U.S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, General Care, Dental specialist (68E), available at <https://www.operationmilitarykids.org/army-dental-specialist-mos-68e/> (last visited Jan. 13, 2022).

²⁵ U.S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Physical Mental Health, *Physical Therapy Specialist 68F*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/physical-mental-health/68f-physical-therapy-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Physical Therapy Specialist (MOS 68F): Career Details*, available at <https://www.operationmilitarykids.org/army-physical-therapy-specialist-mos-68f/> (last visited Jan. 13, 2022).

²⁶ U.S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Physical Mental Health, *Optical Laboratory Specialist (68H)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/physical-mental-health/68h-optical-laboratory-specialist.html> (last visited Jan. 13, 2022).

²⁷ U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Medical Laboratory Specialist (68K)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/research/68k-medical-laboratory-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Medical Laboratory Specialist (MOS 68K)*, available at <https://www.operationmilitarykids.org/army-medical-laboratory-specialist-mos-68k/> (last visited Jan. 13, 2022).

²⁸ U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Occupational Therapy Specialist (68L)*, available at <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories/medical-and-emergency/occupational-therapy-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Occupational Therapy Specialist (MOS 68L)*, available at <https://www.operationmilitarykids.org/army-occupational-therapy-specialist-mos-68l/> (last visited Jan. 13, 2022).

²⁹ U.S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, General Care, *Cardiovascular Specialist (68N)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/general-care/68n-cardiovascular-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Cardiovascular Specialist (MOS 68N)*, available at <https://www.operationmilitarykids.org/army-cardiovascular-specialist-mos-68n/> (last visited Jan. 13, 2022).

68P	Radiology Specialist ³⁰	46 weeks	ST: 106
68Q	Pharmacy Specialist ³¹	19 weeks	ST: 95
68S	Preventive Medicine Specialist ³²	15 weeks	ST: 101
68U	Ear, Nose, and Throat (ENT) Specialist ³³	14 weeks	ST: 101, GT: 107
68V	Respiratory Specialist ³⁴	36 weeks	ST: 102
68W	Combat Medic Specialist ³⁵	16 weeks	ST: 101, GT: 107
68X	Behavioral or Mental Health Specialist ³⁶	20 weeks	ST: 101
68Y	Eye Specialist ³⁷	13 weeks	ST: 101, GT: 107

The U.S. Army uses these additional health care related MOS job titles, and lists the following most relevant ASVAB subtests scores required for those jobs, which combine to create the potential recruit's required minimum scores for suitability for a specific MOS job line.

³⁰ U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Radiology Specialist (68P)*, available at <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories/medical-and-emergency/radiology-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Radiologist Specialist (MOS 68P)*, available at <https://www.operationmilitarykids.org/army-radiologist-specialist-mos-68p/> (last visited Jan. 13, 2022).

³¹ U. S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Physical Mental Health, *Pharmacy Specialist (68Q)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/physical-mental-health/68q-pharmacy-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Pharmacy Specialist (MOS 68Q): Career Details*, available at <https://www.operationmilitarykids.org/army-pharmacy-specialist-mos-68q/> (last visited Jan. 13, 2022).

³² U. S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Physical Mental Health, *Preventative medical Specialist (68S)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/physical-mental-health/68s-preventive-medicine-specialist.html> (last visited Jan. 13, 2022).

³³ U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Ear, Nose And Throat (ENT) Specialist (68U)*, available at <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories/medical-and-emergency/ear-nose-throat-specialist.html> (last visited Jan. 13, 2022).

³⁴U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Respiratory Specialist (68V)*, available at <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories/medical-and-emergency/respiratory-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Respiratory Specialist (MOS 68V): Career Details*, available at <https://www.operationmilitarykids.org/army-respiratory-specialist-mos-68v-career-details/> (last visited Jan. 13, 2022).

³⁵ U. S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Intensive Care, *Combat Medic Specialist (68W)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/intensive-care/68w-combat-medic-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Combat Medic Specialist (MOS 68W): Career Details*, available at <https://www.operationmilitarykids.org/army-combat-medic-specialist-mos-68w/> (last visited Jan. 13, 2022).

³⁶ U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Behavioral Health Specialist (68X)*, available at <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories/medical-and-emergency/behavioral-health-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Behavioral Health Specialist (MOS 68X): Career Details*, available at <https://www.operationmilitarykids.org/army-behavioral-health-specialist-mos-68x/> (last visited Jan. 13, 2022).

³⁷ U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Eye Specialist (68Y)*, available at <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories/medical-and-emergency/eye-specialist.html> (last visited Jan. 13, 2022).

MOS	Army Job Title	Length of Time Training ³⁸	Minimum ASVAB Subtest Scores
68A	Biomedical Equipment Specialist ³⁹	41 weeks	EL: 107
68G	Patient Administration Specialist ⁴⁰	7 weeks	CL: 90
68J	Medical Logistics Specialist ⁴¹	6 weeks	CL: 90
68M	Nutrition Care Specialist ⁴²	7 weeks	OF: 95

Military Health Care Education

After a recruit attends boot camp, Army AIT is mandatory. AIT teaches critical job skills needed to serve the military in the recruit's assigned MOS job line. This is where the technical training begins at the Medical Education and Training Campus (METC) at Fort Sam Houston, Texas, where medical personnel from all branches of the service learn and refine their skills. METC has 48 medical programs, 16,500 graduates a year, and is a state-of-the-art U.S. DOD health care education campus that trains enlisted medical personnel. Training times vary depending upon a recruit's progress and individual MOS, Rating, or AFSC career track.⁴³

Army Practical Nursing Specialist

An Army practical nursing specialist (MOS 68C) is responsible for performing nursing care procedures. These specialists work with physicians, nurses, and non-commissioned officers (NCO) to bring preventative, therapeutic, and emergency care to soldiers and their families. This position requires skilled individuals who are comfortable working in all medical situations, whether in a controlled or deployed environment.

³⁸ *Supra* note 21.

³⁹ U. S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Research, *Biomedical Equipment specialist (68A)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/research/68a-biomedical-equipment-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Biomedical Equipment Specialist (MOS 68A): Career Details*, available at <https://www.operationmilitarykids.org/army-biomedical-equipment-specialist-mos-68a/> (last visited Jan. 13, 2022).

⁴⁰ U. S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Physical Mental Health, *Patient Administration Specialist (68G)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/physical-mental-health/68g-patient-administration-specialist.html> (last visited Jan. 13, 2022). Operation Military Kids, Army, *Patient Admonition Specialist (MOS 68G)* available at <https://www.operationmilitarykids.org/68-series-mos/#Patientmos68G> (last visited Jan. 13, 2022).

⁴¹ U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Medical Logistics Specialist (68J)*, available at <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories/medical-and-emergency/medical-logistics-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Medical Logistics Specialist (MOS 68J): Career Details*, available at <https://www.operationmilitarykids.org/army-medical-logistics-specialist-mos-68j/> (last visited Jan. 13, 2022).

⁴² U. S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Physical Mental Health, *Nutrition Care Specialist (68M)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/physical-mental-health/68m-nutrition-care-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Nutrition Care Specialist (MOS 68M)*, available at <https://www.operationmilitarykids.org/68-series-mos/#Nutritionmos68M> (last visited Jan. 13, 2022).

⁴³ Medical Education and Training Campus, *Welcome to the Medical Education & Training Campus (METC)*, available at <http://www.metc.mil/> (last visited Jan. 13, 2022).

Qualifications and Training

The Army practical nursing specialist (MOS 68C) is required to attend 10 weeks of boot camp and is an entry-level position that requires recruits to pass all physical and medical evaluations. To enter training for an Army practical nursing specialist, a recruit must receive a minimum score of 101 on the Skilled Technical (ST) and 107 on the General Technical (GT) portions of the ASVAB test. The recruit will then receive 52 weeks of AIT training at METC at Fort Sam Houston in Texas.

Two phases of classroom training are required: field and clinical instruction. At the end of training, the soldier must pass the Texas Board of Nursing National Clinical Licensure Examination. After passing the examination, the soldier will be a Licensed Practical Nurse.⁴⁴

Army Combat Medic Specialist (CMS)

A CMS, MOS 68W job, trains as a soldier responsible for providing emergency medical treatment at the point of a soldier's wounding on the battlefield. Soldiers in this MOS line also assist with limited primary care and health protection. They provide evacuation of patients from a point of injury.⁴⁵ A CMS administers emergency medical care in humanitarian situations, serves as a first responder and triages illnesses and injuries to save lives in many situations. A CMS is also trained to train other soldiers in lifesaving and first responder courses.⁴⁶

Qualifications and Training

A CMS is an entry-level position that requires basic physical and medical evaluations. A soldier desiring a career as a CMS must receive a minimum score of 101 on the ST and 107 on the GT portions of the ASVAB test. After entry-level testing, a CMS candidate will attend AIT for 16 weeks which will include practice in patient care. After AIT, the CMS candidate must obtain certification from the National Registry of Emergency Medical Technicians (EMT) to begin his or her career as a CMS soldier in the U.S. Army.⁴⁷

A CMS is trained to perform necessary medical care in battlefield situations and has been trained in specific skills to perform under physician supervision or protocols, as follows:

- Take vital signs;
- Ambulance operations and patient transport;
- Emergency situation assessment (triage);
- Injury identification and temporary resolution protocols to stabilize a patient for transport;

⁴⁴ U.S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, General Care, *Practical Nursing Specialist (68C)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/general-care/68c-practical-nursing-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Practical Nursing Specialist (MOS 68C)*, available at <https://www.operationmilitarykids.org/army-practical-nursing-specialist-mos-68c/> (last visited Jan. 13, 2022).

⁴⁵ Operation Military Kids, Army, *Army Combat Medic Specialist (MOS 68W): Career Details*, available at <https://www.operationmilitarykids.org/army-combat-medical-specialist-mos-68w/> (last visited Jan. 13, 2022).

⁴⁶ U. S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Intensive Care, *Combat Medic Specialist (68W)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/intensive-care/68w-combat-medical-specialist.html> (last visited Jan. 13, 2022).

⁴⁷ Operation Military Kids, Army, *Army Combat Medic Specialist (MOS 68W): Career Details*, available at <https://www.operationmilitarykids.org/army-combat-medical-specialist-mos-68w/> (last visited Jan. 13, 2022).

- Insert IVs;
- Apply a tourniquet;
- Suture a wound;
- Perform cardiopulmonary resuscitation (CPR);
- Administer oxygen;
- Take and prepare blood samples for laboratory analysis;
- Administer injections, vaccines, and medications;
- Manage a patient's airway;
- Stop hemorrhaging;
- In a healthcare setting, a CMS is trained to:
 - Assist a doctor or nurse;
 - Prepare patients for surgery;
 - Prepare equipment and supplies for surgery;
 - Prepare and clean a room after a patient visit; and
 - Keep health records and files up-to-date.⁴⁸

Army Radiologist Specialist (MOS 68P)

In the Army, radiology is a clinical field where specialists learn to use imaging technology in the diagnosis and treatment of diseases and injuries. An Army radiologist specialist is very similar to his or her civilian counterpart and performs medical imaging at military clinics or hospitals.

Education and Training

To become an Army radiologist specialist, a recruit must attend 10 weeks of boot camp, even though it is a non-combat position, and score a 106 or higher on the Skilled Technical (ST) portion of the ASVAB. In addition, the recruit must have normal color vision and have had at least one year of high school algebra. Pregnant women cannot apply for a radiologist specialist MOS position because of the powerful imaging equipment the Army radiologist specialist handles and the radiation it emits.

Following boot camp, the recruit will attend AIT METC in Texas where he or she will learn to operate X-ray imaging and other related equipment such as ultrasound, MRI, and CAT scan equipment, in order to get images of human body for physicians to utilize in making diagnoses and planning courses of treatment.⁴⁹

Pharmacy Specialist (MOS 68Q)

An Army pharmacy specialist prepares and dispenses prescription medication under the direction of the pharmacist. A pharmacy specialist also maintains pharmacy supplies and records and keeps track of inventory. These soldiers must be familiar with pharmacy laws and regulations, drug types, uses, and how to mix medications.

⁴⁸ *Id.*

⁴⁹ U.S. Army, Careers & Jobs, Search Careers & Jobs, Medical and Emergency, *Radiology Specialist (68P)*, available at <https://www.goarmy.com/careers-and-jobs/browse-career-and-job-categories/medical-and-emergency/radiology-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Radiologist Specialist (MOS 68P)*, available at <https://www.operationmilitarykids.org/army-radiologist-specialist-mos-68p/> (last visited Jan. 13, 2022).

Qualifications and Training

An Army recruit seeking assignment as an Army pharmacy specialist must receive at least a 95 on the Skilled Technical (ST) portion of the ASVAB test. After completing all entry level testing, recruits will attend complete 10 weeks of boot camp and then attend AIT at METC in Texas for 23 weeks, in a program accredited by the American Society of Health System Pharmacists,⁵⁰ which includes practical experience with pharmaceutical tasks, including the use of robotics and other highly technical equipment to fulfill prescriptions.

The recruit desiring assignment as an Army pharmacy specialist is required to have finger dexterity in both hands. He or she will work under the direction of a pharmacist and learn to:

- Assist in the preparation and dispensing of medications;
- Measure, mix and compound medications;
- Verify dosages based on patient age, weight and medical status; and
- Verify dosage regimen and the quantity prior to releasing medication;
- Fill outpatient or inpatient orders in a hospital setting;
- Fill pain medication for a released patients, IV bags for inpatients, or syringes for a newborn babies;
- Order medical supplies such as syringes or sterile pads; and
- Discuss medications with the patients.⁵¹

Federal Tort Claims Act (FTCA)

The FTCA, dating back to 1946, allows private parties to recover restitution for certain torts committed by employees or agents of the U.S. government, including military health care providers. The FTCA gives people the ability to hold the U.S. government responsible for wrongdoing committed by its employees or agents in the course of their employment. The statute of limitation for FTCA cases is two years. To prove negligence, the injured party must file a claim with the appropriate federal agency within two years of the injury or death. The Act also provides authority for the federal government to defend against such claims.

FTCA cases can involve several areas of personal injury law. The Act applies when someone is injured in one of the following ways:

- Military Base Hospitals Medical Malpractice;
- Veterans Affairs (VA) Malpractice;
- Military Truck or Vehicular Wreck;

⁵⁰ The American Society of Hospital Pharmacists (ASHP), About ASHP, *Welcome to ASHP* available at <https://www.ashp.org/about-ashp?loginreturnUrl=SSOCheckOnly> (last visited Jan. 16, 2022). The ASHP was formed on August 21, 1942. The ASHP is the collective voice of pharmacists who serve as patient care providers in hospitals, health systems, ambulatory clinics, and other healthcare settings spanning the full spectrum of medication use. The organization's more than 60,000 members include pharmacists, student pharmacists, and pharmacy technicians. For 80 years, ASHP has been at the forefront of efforts to improve medication use and enhance patient safety.

⁵¹ U. S. Army, Careers & Jobs, Search Careers & Jobs, Career Match, Science Medicine, Physical Mental Health, *Pharmacy Specialist (68Q)*, available at <https://www.goarmy.com/careers-and-jobs/career-match/science-medicine/physical-mental-health/68q-pharmacy-specialist.html> (last visited Jan. 13, 2022); Operation Military Kids, Army, *Army Pharmacy Specialist (MOS 68Q): Career Details*, available at <https://www.operationmilitarykids.org/army-pharmacy-specialist-mos-68q/> (last visited Jan. 13, 2022).

- Medical Malpractice at a Federally Funded Clinic;
- Premises Liability on Federal Property;
- Vehicle Accident Involving Federal Employee; and
- Personal Injury by Federal Employee.⁵²

When someone is injured by a federal employee or by federal property, the claimant must bring his or her lawsuit under the FTCA. Under the FTCA, the laws of the state where the accident occurred control damages limitations. For example, in Florida, personal injury or medical malpractice damages arising out of the same incident or occurrence are capped at \$200,000 per occurrence, or \$300,000.00 in the aggregate. Punitive damages are prohibited. This is effectively providing personal injury and, if applicable, medical malpractice insurance to all federal health care practitioners.⁵³

Florida’s Department of Health (DOH)

The Legislature created the DOH to protect and promote the health, safety and welfare of all residents and visitors in the state.⁵⁴ The DOH is charged with the regulation of health practitioners for the preservation of the health, safety, and welfare of the public. The Division of Medical Quality Assurance (MQA) is responsible for the boards⁵⁵ and professions within the DOH.⁵⁶

Health Care Practitioner Regulation

The DOH, Division of MQA, provides health care practitioner regulation and support to health care licensure boards and councils. Boards are responsible for approving or denying an applicant’s license based upon:

- The applicants qualifications specified in statute;
- Reviewing and approving continuing education courses and practitioners;
- Promulgating administrative rules authorized by statute;
- Determining probable cause in cases resulting from complaints; and
- Disciplining practitioners found to be in violation of applicable laws.

The Division of MQA licenses and regulates seven types of health care facilities and more than 200 license types in over 40 professions, while partnering with 22 boards and four councils.⁵⁷

⁵² 28 U.S.C. ss. 2671-2680, 2021; The United States Department of Justice, *Federal Tort Claims Act Litigation Section*, available at <https://www.justice.gov/civil/federal-tort-claims-act-litigation-section> (last visited Jan. 10, 2022).

⁵³ Section 768.28, F.S.

⁵⁴ Sections 20.43 and 456.003, F.S.

⁵⁵ Under s. 456.001(1), F.S., “board” is defined as any board, commission, or other statutorily created entity, to the extent such entity is authorized to exercise regulatory or rulemaking functions within the DOH or, in some cases, within the MQA.

⁵⁶ Section 20.43, F.S.

⁵⁷ The Department of Health, *Senate Bill 466, 2022 Agency Legislative Bill Analysis* (Dec. 8, 2021)(on file with the Senate Committee on Health Policy).

Health Care Practitioner Scope of Practice

The scope of practice for a regulated health care profession includes those activities and procedures that a person with a specified level of education, training, and competency is authorized to perform under the laws and rules of the state in which the person practices. Scope of practice can also incorporate conditions that may limit the exercise of authorized activities and procedures.⁵⁸ Licensed health care practitioners in Florida may only perform that which is authorized by the scope of practice for their profession. Individuals who perform functions outside of their scope of practice are subject to discipline. Individuals who perform tasks that are specific to a scope of practice identified in Florida Statutes without the required licensure may be considered to be performing unlicensed activities in violation of law.⁵⁹

The Board of Medicine

The Florida Board of Medicine (BOM) functions within the DOH/MQA, and is composed of 15 members appointed by the Governor and confirmed by the Senate. Twelve members of the BOM must be licensed physicians in good standing who are Florida residents and who have been actively engaged in the practice or teaching medicine for at least four years immediately preceding their appointment. Of the members, one must be a full-time faculty member of a Florida medical school; one must be in private practice; one must be a full-time staff member of a statutory teaching hospital; and at least one must be a graduate of a foreign medical school. The remaining three members are consumer members who are residents of the state who have never been licensed health care practitioners. One member must be a health care risk manager and at least one member must be 60 years of age or older.

Practice of Medicine

A physician is a person who is licensed to practice medicine in Florida. Practicing medicine includes the diagnosis, treatment, operation, or prescription for any human disease, pain, injury, deformity, or other physical or mental condition.⁶⁰

⁵⁸ Federation of State Medical Boards, *Assessing Scope of Practice in Health Care Delivery*, (Apr., 2005) available at <https://www.fsmb.org/search-results/?s=relevance&n=10&q=definition+of+scope+of+practice> (last visited Dec. 8, 2021). The Federation of State Medical Boards is a national non-profit association whose members include all medical licensing and disciplinary boards in the United States, and the U.S. territories. The Federation acts as a collective voice for 70 member medical boards in promoting high standards for medical licensure and practice. The Guidelines recommend that State regulators and legislators review the following factors when considering scope of practice initiatives in the interest of public health and patient safety: (1) The existence of a verifiable need for the proposed scope of practice change; (2) Existing scopes of practice and the effect of requested changes on public health and safety; (3) Formal education and training purported to support scope of practice changes and the existence of a formal process for accreditation; (4) Existing or proposed regulatory mechanisms such as licensure, certification and registration; (5) The advisability of allowing independent practice or requiring collaboration or supervision; (6) The advisability of interaction and cooperation between affected regulatory boards in evaluating issues that involve multiple practitioners, in investigating complaints, and in recommending appropriate discipline; (7) The requirements for full and accurate disclosure by all health care practitioners as to their qualifications to provide health care services; (8) The accountability and liability issues relating to scope of practice changes; (9) The details, rationale, and ethics of any proposals to bypass licensing or regulatory requirements in allowing scope of practice changes, the implications for other practitioners, and the effect on patient safety; and (10) The financial impact and incentives related to and affecting the scope of practice changes.

⁵⁹ Section 456.072, F.S.

⁶⁰ Section 458.305, F.S.

Allopathic standards of practice and standards of care for particular practice settings include, but are not limited to, education and training, equipment and supplies, medications including anesthetics, assistance of and delegation to other personnel, transfer agreements, sterilization, records, performance of complex or multiple procedures, informed consent, and policy and procedure manuals.⁶¹

The Practice of Nursing

The scope of practice of nursing varies based on the type of education, training, and nursing licensure held by the health care practitioner.

The Licensed Practical Nurse (LPN)

An LPN may perform selected acts, including:

- The administration of treatments and medications, in the care of the ill, injured, or infirm;
- The promotion of wellness, maintenance of health, and prevention of illness of others under the direction of a registered nurse, a licensed physician, a licensed osteopathic physician, a licensed podiatric physician, or a licensed dentist; and
- The teaching of general principles of health and wellness to the public and to students other than nursing students.⁶²

LPN Qualifications and Training for Licensure

Licensure for an LPN is in accordance with s. 464.003, F.S., and includes the following minimum education qualifications and exam requirements, with noted alternative methods to meet requirements:

- Graduation from a Florida approved, or accredited LPN nursing education program as defined in s. 464.003, F.S.;
- Graduation from an Accreditation Commission for Education in Nursing (ACEN) or Commission on Collegiate Nursing Education (CCNE) accredited LPN nursing program that has been issued a National Council Licensure Examination (NCLEX) code by the National Council of State Boards of Nursing (NCSBN);
- Graduation from an LPN nursing education program that is approved or recognized by the jurisdiction in which it is based and that has been issued an NCLEX code by the NCSBN;
- Graduation from a military nursing education program that has been issued an NCLEX code by NCSBN;
- Graduation from a non-NCSBN jurisdiction (e.g. Puerto Rico), or international nursing education program that the Board of Nursing (BON) determines to be equivalent to an approved program; or
- Successful completion of courses in a registered nursing education program that are equivalent to a practical nursing education program – Practical Nurse Examination based on practical nursing Equivalency (PNEQ).

⁶¹ Section 458.311(1)(c), F.S.

⁶² Section 464.003(18), F.S.

An LPN may also qualify for licensure in Florida by meeting endorsement qualifications (holding a valid license in another state and meeting other minimum qualifications) or by Nurse Licensure Compact.

All nursing programs requesting BON approval must conform to the Florida Department of Education curriculum framework. In order to ensure the preparation of nurses capable of competent practice, the curriculum must: reflect the stated philosophy and objectives of the program; evidence an organized pattern of instruction consistent with principles of learning and sound educational practices; provide systematic evaluation of students in both clinical experience and theoretical instruction; and evidence ongoing program evaluation in relation to the currency of content, competency of instruction, adequacy of clinical experiences and effectiveness of graduate performance. The specific minimum requirements for a practical nursing programs are the following: content must include medical, surgical, obstetrical, pediatric, geriatric, acute care in long term care and community settings; personal, family, and community health concepts; nutrition; human growth and development; body structure and function; interpersonal relationship skills; mental health concepts; pharmacology and medication administration; legal aspects of nursing; and the curriculum must consist of at least 50% clinical training.⁶³

The Certified Nursing Assistant (CNA)

A CNA may provide care and assistance to persons with tasks related to the activities of daily living. These tasks includes personal care, maintaining mobility, nutrition and hydration, toileting and elimination, assistive devices, safety and cleanliness, data gathering, reporting abnormal signs and symptoms, postmortem care, patient socialization and reality orientation, end-of-life care, cardiopulmonary resuscitation and emergency care, residents' or patients' rights, documentation of nursing-assistant services. Other tasks may be performed upon completion of training beyond the minimum qualifications for initial certification and upon validation of competence in that skill by an RN.⁶⁴

CNA Qualifications and Training for Licensure

Qualifications for a CNA are in accordance with s. 464.203, F.S., includes the following minimum education qualifications and exam requirements, with noted alternative methods to meet requirements:

- Successful completion of an approved training program and achieved a minimum score on the nursing assistant competency examination. The examination consists of a written portion and skills-demonstration portion approved by the board and administered at a site and by personnel approved by the DOH;
- Achieve a minimum score, established by rule of the board, on the nursing assistant competency examination, and has a high school diploma, or its equivalent; or is at least 18 years of age;
- Completion of the curriculum developed under the Enterprise Florida Jobs and Education Partnership Grant and achieved a minimum score on the nursing assistant competency examination; or

⁶³ Fla. Admin. Code. R. 64B9-2.021 (2021).

⁶⁴ Section 464.201(5), F.S.

- CNAs may qualify for licensure by endorsement if they are currently certified in another state or territory of the United States or District of Columbia and successfully complete criminal history and discipline history requirements.

The CNA Examination must consist of a written exam and a clinical skills test. Both must be passed within a two-year period in order to achieve certification. Results on either the written or clinical exams that are over two years old are invalid, and both tests must be repeated. The general areas of competency of the written exam include: the role of the nursing assistant; promotion of safety; promotion of function and health of patients; and basic and specific nursing care for patients with changes in health. For the written exam, the BON accepts a minimum passing score of 76 percent.⁶⁵

The CNA clinical skills exam includes four test areas: personal care, promotion of function, health and safety; reporting and recording; and hand washing. In each area CNA candidates are tested on five tasks. The tasks in the three areas, excluding hand washing, are as follows:

- Personal Care:
 - Perineal care – female;
 - Catheter care;
 - Dressing;
 - Partial bed bath;
 - Toileting – bedpan;
 - Mouth care – brushing teeth;
 - Mouth care – care of dentures;
 - Grooming – hair and nail care;
 - Feeding;
 - Change an occupied bed; and
 - Foot care.
- Promotion of function, health, and safety:
 - Change of position;
 - Transfer;
 - Range of motion for upper extremity;
 - Range of motion for lower extremity; and,
 - Ambulation.
- Reporting and Recording:
 - Measure and record pulse and respirations;
 - Measure and record weight;
 - Measure and record content of urinary drainage bag; and
 - Measure and record blood pressure.

For the Clinical Skills Test, the recommended minimum passing level for each task is three standard errors of measure below the mean; which will vary depending on the difficulty of the items selected by the testing service. If an applicant fails to pass the CNA competency examination in three attempts, the applicant is not eligible for reexamination unless the applicant completes an approved training program.⁶⁶

⁶⁵ Fla. Admin. Code R. 64B9-15.008 (2021).

⁶⁶ *Id.*

Emergency Medical Services (EMS)

The Legislature created ch. 401, F.S., in 1973 with the intent to establish a statewide organized and regulated system of regional EMS providers with two major objectives:

- To develop a statewide system of emergency medical telecommunications to maximize the use of existing radio channels to provide faster and more effective EMS to the general population;⁶⁷ and
- To protect and enhance the public health, safety, and welfare with the establishment a state wide EMS plan to:
 - Monitor the quality of patient care delivered by each licensed service;
 - Certify EMS personnel;
 - Create an EMS advisory council;
 - Develop a comprehensive statewide injury-prevention program; and
 - Development minimum standards for EMS providers, personnel, vehicles, services, medical direction and inspections.⁶⁸

The Legislature further recognized that a major impediment to meeting its two legislative objectives for s. 401, F.S., was the inability of governmental and private agencies to respond cooperatively in order to finance a system of regional EMS. In response, the Legislature found it in the public interest to foster the development of a statewide EMS provider system and created the Florida Emergency Medical Services Grant Act.⁶⁹ This law authorizes the DOH to make grants to local agencies, EMS organizations, and youth athletic organizations to provide EMS, including emergency medical dispatch, and work with local EMS organizations to expand the use of automated external defibrillator (AED) devices.⁷⁰

Emergency Medical Service Providers

Every person, firm, corporation, association, or governmental entity owning or acting as agent for the owner of any business or service which furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes to engage in the business or service of providing prehospital or interfacility advanced life support (ALS) services or basic life support (BLS) transportation services must be licensed as a BLS service or an ALS service, or both, before offering such service to the public.⁷¹

The Emergency Medical Technician (EMT)

An EMT is certified by the DOH to perform BLS techniques.⁷² The BLS techniques includes the treatment of medical emergencies by a certified EMT qualified in the use of techniques of patient assessment, cardiopulmonary resuscitation (CPR), splinting, obstetrical assistance, bandaging, administration of oxygen, application of medical anti-shock trousers, administration of a subcutaneous injection using a premeasured auto-injector of epinephrine for an anaphylactic

⁶⁷ Section 401.013, F.S.

⁶⁸ Section 401.211, F.S.

⁶⁹ See ss. 401.101 and 401.104, F.S.

⁷⁰ Section 401.111, F.S.

⁷¹ Section 401.25(1), F.S.

⁷² Section 401.23(11), F.S.

reaction, and other techniques described in the U.S. DOT, EMT Basic Training Course Curriculum (EMT-BTCC).⁷³

EMT Qualifications and Training

Qualifications for an EMT are in accordance with s. 401.27, F.S., and include the following minimum requirements:

- Out of state or military applicants trained in accordance with either the 1994 U.S. DOT EMT-Basic National Standard Curriculum or the January 2009 U.S. DOT National EMS Education Standards and currently hold a valid EMT certification from the National Registry of Emergency Medical Technicians (NR-EMT);
- Completion of an emergency medical technician training course equivalent to the most recent emergency medical technician basic training course of the U.S. DOT, within one year after course completion have passed an examination for an emergency medical technician, hold either a current American Heart Association cardiopulmonary resuscitation course card or an American Red Cross cardiopulmonary resuscitation course card or its equivalent.

To be eligible for an EMT certification in Florida, an applicant must:

- Submit a completed application;
- Submit proof to the Certification Unit of meeting the required professional education in one of the following ways:
 - *Florida Trained* – Successful completion of EMT course from a DOH approved program within two years of passing the examination;
 - *Out-of-State Trained* – Submit proof of current NR-EMT certification;
 - *Florida Paramedic Certification*. A Florida certified paramedic may use his or her paramedic certificate, provided that it is current and in good standing, to satisfy the professional education requirements for certification as an EMT; or
 - If the applicant was initially trained in Florida, received a Florida EMT certification, but did not maintain the certification, the applicant may apply by *Out of State Certification* and submit a copy of one of the following to the Certification Unit:
 - An American Red Cross CPR for Professional Rescuer card;
 - An American Heart Association BLS for the Healthcare Provider;

A CPR equivalent certification from an organization approved by the Bureau of EMS pursuant to Florida Administrative Code Rule 64J-1.022.⁷⁴

The Paramedic

A certified paramedic may perform both BLS and ALS.⁷⁵ ALS includes the assessment or treatment by a certified paramedic qualified in the use of techniques such as endotracheal intubation, the administration of drugs or intravenous fluids, telemetry, cardiac monitoring,

⁷³ Section 401.23(7), F.S.

⁷⁴ Section 401.25, F.S.; Fla. Admin C. Rule 64J-1.008, (2021); Florida Department of Health, Licensing and Regulation, EMT and Paramedics, Licensing, *Emergency Medical Technicians*, available at <https://www.floridahealth.gov/licensing-and-regulation/emt-paramedics/licensing/index.html> (last visited Jan. 10. 2022).

⁷⁵ Section 401.23(17), F.S.

cardiac defibrillation, and other techniques described in the EMT-Paramedic National Standard Curriculum or the National EMS Education Standards, pursuant to DOH administrative rules.⁷⁶

Any member of the U.S. Armed Forces, on active duty, who at the time he or she became a member, was in good standing with the DOH, and certified to practice as an EMT or paramedic in Florida remains in good standing without registering, paying dues or fees, or performing any other act, as long as he or she is an active duty member of the U.S. Armed Forces, and for a period of six months after he or she is discharge from active duty.⁷⁷

Paramedic Qualifications and Training

Protection of the public is incumbent upon the accurate determination that a health care professional is qualified to practice the health care profession for which they are seeking licensure. Florida statutes delineate the minimum qualifications for each license based on the profession and the associated scope of practice. However, all professions have the same general categories of requirements for licensure, including:

- Minimum educational requirements. This requirement may also encompass an internship program or residency training.
- Successful examination completion. Most health care professions require the successful completion of a national examination to demonstrate competency.
- Criminal history evaluation. All applicants are required to disclose prior criminal history, professions identified in s. 456.0135, F.S., require electronic fingerprint submission. Certain criminal activity reflected in the history may preclude licensure.
- Disciplinary history evaluation. Disciplinary history evaluation includes all prior licensure in any profession in any jurisdiction. Certain types of discipline may preclude licensure.
- Health history evaluation. Applicants are required to disclose health history, including evidence of impairment. Boards evaluate the disclosure to determine if the applicant is safe to practice prior to making a final licensure determination.

To be eligible for a paramedic certification in Florida, an applicant must:

- Submit a completed Application;
- Possess a high school diploma or GED;
- Submit proof to the Certification Unit of meeting the required professional education in one of the following ways:
 - *Florida Trained* - Successful completion of a paramedic course from an approved program within two years of passing the examination. If the course was taken more than two years before you passed the examination it will not be accepted;
 - *Out of State Certification* – An applicant must submit proof of current NR-EMT certification; or
 - *Health Professional Licensure* – A Florida licensed physician, physician assistant, dentist, or registered nurse may apply for certification as a paramedic and subsequently challenge the paramedic exam, provided he or she holds a Florida EMT certificate which

⁷⁶ Section 401.23(1), F.S.

⁷⁷ Section 401.2715, F.S.

is current, in good standing, and has successfully completed an advance cardiac life support course.⁷⁸

The bill provides an effective date of July 1, 2022.

III. Effect of Proposed Changes:

CS/SB 466 authorizes the DOH, in collaboration with FIFV, to establish and administer the MMACOF program created under the bill. The program is designed to assist veterans and their spouses in finding pathways toward clinical, leadership, and nonclinical careers in health care or health care-related fields in Florida if they meet certain requirements.

The bill authorizes the FIFV, to recruit and review the military eligibility of veterans and their spouses and to assist MTHCVs in applying for the MMACOF Health Care Certification program, which is designed to assist MTHCVs obtain employment with participating health care providers, maintain medical skills, address the shortage of health care professionals in the state, and work toward obtaining appropriate health care registration, certification, or licensure.

The bill defines a “military-trained veteran” as a person who:

- Has served within the preceding consecutive 12 months as a medic in the U.S. Army, a medical technician in the U.S. Air Force, a hospital corpsman in the U.S. Navy, or a health services technician in the U.S. Coast Guard;
- Was discharged or separated from military service under conditions other than dishonorable;
- Has received MMACOF Health Care Program Qualified Status from the DOH;
- Is enrolled, on at least a half-time basis, in an approved and accredited Florida health care education and training program specific to the health care field for which the DOH has issued the MMACOF Health Care Program Qualified Status; and
- Has applied for and received approval from the DOH for the MMACOF Health Care Certification program.

The bill also defines a “participating health care provider” as:

- A physician licensed under chs. 458, or 459, F.S.;
- A professional corporation or partnership of a licensed physicians licensed under chs. 458 or 459, F.S.;
- A hospital licensed under ch. 395, F.S.;
- An office registered under ss. 458.328 or 459. 0138, F.S.;
- A commercial enterprise having medical facilities for its employees which are supervised by one or more licensed physicians licensed under chs, 458 or 459, F.S.; or
- A facility which is licensed under ch. 395, F.S., which offers medical services to the public and is supervised by one or more licensed physicians licensed under chs. 458 or 459, F.S.

The bill defines “veteran” the same as in s. 1.01(14), F.S., or a former member of the Florida National Guard.

⁷⁸ Section 401.25, F.S.; Fla. Admin. C. Rule 64J-1.009, (2021); Florida Department of Health, Licensing and Regulation, EMT and Paramedics, Licensing, *Paramedic*, available at <https://www.floridahealth.gov/licensing-and-regulation/emt-paramedics/licensing/index.html> (last visited Jan. 10. 2022).

The bill requires the MMACOF program to consist of three components: the MMACOF Health Care Certification program, the No Veteran Left Behind component, and the Health Care Leadership component.

Under the *MMACOF* Health Care Certification program, the FIFV is authorized to recruit and review the military eligibility of veterans according to the military requirements for acceptance into the MMACOF Health Care Certification program and is required to assist each individual veteran in completing a DOH MMACOF Health Care Certification program application form.

The bill authorizes the FIFV to recruit, establish, and maintain a statewide list of MMACOF Health Care Certification program participating health care providers. The bill requires a participating health care provider to agree to employ unlicensed MTHCVs who hold an MMACOF Health Care Certificate in specific health care fields, who are qualified to perform specific health care skills under the direct supervision of a licensed health care provider in such specific field, and who are enrolled on at least a half-time basis in an approved and accredited Florida health care education and training program for the health care field. The bill also requires the FIFV to assist MTHCVs who hold an MMACOF Health Care Certificate in identifying participating health care providers for potential employment, including providing assistance with résumé writing, application completion, and interviewing skills.

The bill directs the DOH and each DOH board to develop the MMACOF application form, and the DOH is required to waive the application fee, certificate fee, and unlicensed activity fee for all such applicants. The bill requires the MMACOF Health Care Certification program application to include, but not be limited to, the following information:

- The individual's civilian and military education; health care education and training; a list of practice skills regularly performed in the military during service as a medic in the U.S. Army, a medical technician in the U.S. Air Force, a hospital corpsman in the U.S. Navy, or a health services technician in the U.S. Coast Guard; and any other health care-related education or experience the individual has received as a civilian or active duty service member; and one of the following:
 - A disclosure by the MMACOF Health Care Certification program applicant stating whether he or she is currently enrolled, on at least a half-time basis, in an approved and accredited Florida health care education and training program for a specified health care practice areas and the status of that enrollment; or
 - If the MMACOF Health Care Certification program applicant is not currently enrolled in an approved and accredited Florida health care education and training program, the applicant's preference for the health care practice area in which he or she seeks to pursue future education and training and, if known, which approved and accredited Florida health care education and training program he or she plans to enter under the MMACOF Health Care Certification program.

The bill authorizes the BOM to review, in consultation with any other professional board the BOM deems appropriate, each veteran's individual MMACOF Health Care Certification program application and, based on criteria set forth in BOM rule, to determine within 30 days which of the following health care practice areas the individual veteran is eligible to practice in under the direct supervision of a health care practitioner, as defined by the specific profession's

practice act, while the veteran is enrolled on at least a half-time basis in an approved and accredited Florida health care education and training program for such practice areas:

- Certified nursing assistant;
- Dental assistant;
- Dental hygienist;
- Emergency medical technologist;
- Licensed practical nurse;
- Laboratory technologist;
- Medical assistant;
- Optician;
- Physician assistant;
- Occupational therapy assistant;
- Radiologic technologist;
- Registered nurse;
- Respiratory care or therapy technician;
- Paramedic;
- Pharmacy technician;
- Physical therapist assistant; or
- Physical therapist.

The bill requires the BOM to delineate the practice skills that the MTHCV is permitted to perform under the direct supervision of a licensed health care practitioner in the field in which the veteran is to practice and further requires that once the BOM has determined that an applicant has sufficient civilian or military health care education and training in one or more health care practice areas, the veteran's application must be given "MMACOF Health Care Program Qualified" status, and that the veteran must be notified of the status in writing within 14 days.

The bill requires the DOH to also provide the veteran with a list of practice skills the BOM has determined the veteran has experience to perform under direct supervision when employed by a participating health care provider after obtaining his or her MMACOF Health Care Certificate. The notification must include instructions on how the veteran may obtain an MMACOF Health Care Certificate.

The bill specifies that the BOM's initial determination of the veteran's "MMACOF Program Health Care Qualified" status expires 18 months after its first issuance, unless the veteran applies for an MMACOF Health Care Certificate before the expiration date.

The bill requires that, to obtain an MMACOF Health Care Certificate, a veteran whose MMACOF Health Care Certification application is in "MMACOF Program Health Care Qualified" status must provide to the DOH documentation of his or her enrollment, on at least a half-time basis, signed by the registrar or similar representative of the approved and accredited Florida health care education and training program, for his or her approved health care field on a form or in the manner prescribed by DOH rule. Upon receipt by the DOH of the veteran's proof of at least half-time enrollment in an approved and accredited Florida health care education and training program for the health care field for which the veteran is "MMACOF Program Health Care Qualified," the DOH may issue to the veteran an MMACOF Health Care Certificate that

qualifies the unlicensed veteran for employment with a participating health care provider in a position matching the health care field listed above on the veteran's MMACOF Health Care Certificate.

The bill specifies that the veteran's MMACOF Health Care Certificate is valid for the length of time the veteran remains actively enrolled on at least a half-time basis in an approved and accredited Florida health care education and training program, and he or she may continue to practice the skills approved by the BOM in a participating civilian health care provider setting while enrolled on at least a one-half time basis in an accredited and approved Florida health care educational and training program or accredited nursing program.

The bill authorizes the DOH to provide by rule a method for annual renewal of MTHCVs' MMACOF Program Health Care Certifications.

The bill requires a MMACOF Health Care Certificate holder to provide the DOH and FIFV the following information within 10 days after civilian employment under his or her MMACOF Health Care Certificate with a participating health care provider:

- The name, address, and telephone number of the participating health care provider that employs the MTHCV; and
- The name and phone number of a contact health care provider who is responsible for supervising the MTHCV and who has a copy of the list of practice skills for which the BOM has determined the MTHCV has sufficient experience to perform under supervision with his or her MMACOF Health Care Certificate.

The bill requires an MMACOF Health Care Certificate holder to notify the DOH and FIFV in writing within 10 days of the MTHCV's employment termination with his or her participating health care provider, or if the MTHCV fails to remain in or maintain active enrollment, on at least a half-time basis, in an approved and accredited Florida health care education and training program.

The bill mandates that a participating health care provider that employs a MTHCV notify the DOH and FIFV in writing within 10 days of the termination, including the reasons for the termination.

The bill requires an approved and accredited Florida health care education and training program that has enrolled a MTHCV who holds a MMACOF Health Care Certificate and who is employed by a participating health care provider, to notify the DOH and FIFV in writing within 10 days after:

- The termination of the MTHCV's enrollment from the approved and accredited Florida health care education and training program for any reason, and to include in the notice the reason(s) for termination;
- The MTHCV's enrollment drops below a half-time basis; or
- The MTHCV's class absences are of sufficient number to cause the MTHCV to drop or fail classes, dropping his or her enrollment to less than a half-time basis.

The bill specifies 19 separate grounds for the denial of an MMACOF Health Care Certificate or disciplinary action against a MMACOF Health Care Certification program applicant or

Certificate holder and specifies that either the DOH or the BOM may enter an order denying certification or imposing penalties under ch. 456, F.S., against any certificate applicant.

The bill does not authorize the DOH or the BOM to issue or reinstate a MTHCV's MMACOF Health Care Certificate to any MTHCV it has deemed unqualified until such time as the DOH or the BOM is satisfied that the MTHCV has complied with the terms and conditions of the final order and that the certificate holder can safely practice as a MTHCV.

The bill authorizes the BOM to establish by rule guidelines for the disposition of disciplinary cases involving specific violations. The guidelines may include minimum and maximum fines, periods of supervision on probation, or conditions upon probation or reissuance of a MTHCV's MMACOF Health Care Certificate.

The *No Veteran Left Behind* component requires the MMACOF program to provide assistance to veterans who do not meet the definition of the "medically trained veteran" but who have served in health care-related specialties, in résumé writing, mentorship, and obtaining employment with participating health care providers.

The *Health Care Leadership* component requires the MMACOF program to assist veterans who, in the course of their military service, have gained management experience or completed advanced degrees, to find civilian health care leadership and management employment in a variety of health care disciplines.

The bill authorizes the DOH and the BOM to adopt rules pursuant to ss. 120.536(1) and 120.54, F.S., to implement s. 295.126, F.S.

The bill amends s. 295.21, F.S., to authorize the creation of a subprogram dedicated to health care services employment under the Veterans Employment and Training Services Program. The bill provides that the purpose of the health care service subprogram is to link veterans who have armed service health care training and are seeking employment in health care fields to health care organizations wishing to hire dedicated, well-trained workers. The program is to meet the health care workforce demands of this state by facilitating access to training and education in health fields for veterans and to promote the health care licensing programs provided by the state.

The bill provides an effect date of July 1, 2022.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill, in part, is designed to address the shortage of health care professionals in this state, but the impact is indeterminate at this time.

C. Government Sector Impact:

According to the DOH, the MQA may experience a recurring increase in workload and cost associated with the collaboration with the FIFV for the MMACOF program. The bill does not specify the roles that the MQA will contribute; therefore, the fiscal impact is indeterminate.⁷⁹

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill defines eligible veterans to be “medically-trained” as a medic in the U.S. Army, a medical technician in the U. S. Air Force, or a hospital corpsman in the U.S. Navy or the U.S. Coast Guard. The actual military titles for those individuals are the Army Combat Medic Specialist (CMS), Navy Hospital Corpsman (HM), Air Force Aerospace Medical Service Technician (AMST), and Coast Guard Health Service Technician (HS).

The bill excludes from the program the U.S. Marine Corp, which uses Navy trained HMs who are Marines, and the Space Force, which currently uses Aerospace Medical Service Technicians (AMST) trained by the Air Force, even though they are in the Space Force.

⁷⁹ Florida Department of Health, 2022 Legislative Analysis of SB 466, dated October 21, 2021 (on file with the Senate Committee on Health Policy).

The bill also does not provide any legislative direction to the DOH to address the following issues:

- Adverse incident reporting; and
- Professional liability insurance.

VIII. Statutes Affected:

This bill creates section 295.126 of the Florida Statutes.

The bill amends section 295.21 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Policy on January 13, 2022:

The CS:

- Authorizes the DOH to establish and administer the MMACOF program, in collaboration with the FIFV, instead of the FDVA establishing and administering the program;
- Applies to military veterans and their spouses, not just military veterans;
- Requires the DOH to waive certain fees for MMACOF program applicants;
- Provides application requirements;
- Requires disclosure of specific information by an applicant;
- Requires the participating health care providers to agree to specified terms;
- Requires a specific application process;
- Requires the BOM, and any other boards it deems appropriate, to determine the areas in which a veteran is eligible to practice and to specify what skills the veterans may perform under direct supervision;
- Requires the certificate holder, DOH, FIFV, participating health care providers, and certain education and training programs to provide specific information to each other within specified time periods regarding employment status and the status of the veteran's enrollment on at least a half-time basis in an approved and accredited Florida health care education and training program;
- Authorizes grounds for denial of an MMACOF Health Care Certificate or disciplinary action against a certificate holder;
- Authorizes both the DOH or the BOM to issue disciplinary orders;
- Authorizes the DOH to make rules for certificate renewal; the BOM to make rules to establish guidelines for the disposition of disciplinary cases; and the DOH and the BOM to make rules to implement s. 295.126, F.S.; and
- Amends s. 295.21, F.S. to authorize the creation of a subprogram dedicated to health care services employment,

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
