

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: SB 466

INTRODUCER: Senator Torres

SUBJECT: Military Medics and Corpsmen of Florida Program

DATE: January 12, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rossitto-Van Winkle	Brown	HP	Pre-meeting
2.	_____	_____	MS	_____
3.	_____	_____	AP	_____

I. Summary:

SB 466 creates the Military Medics and Corpsman of Florida (MMACOF) program in the Florida Department of Veterans' Affairs (DVA), and requires the DVA, in collaboration with the Department of Health (DOH), to establish and administer a program dedicated to offering veterans career pathways to employment in health care if they meet certain requirements.

The bill requires the DVA to recruit and review the eligibility of veterans and to refer eligible veterans to participating health care providers to gain employment, maintain medical skills, address the shortage of health care professionals in this state, and work toward obtaining appropriate health care registration, certification, or licensure. The program permits certain veterans with clinical skills to practice medicine and nursing without a license while supervised by health care practitioners.

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

II. Present Situation:

Florida Department of Veterans' Affairs (DVA)

The Legislature created the DVA 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 DVA must be without charge to the claimant.¹ More than

¹ Section 292.05(1), F.S.

1.5 million veterans currently live in Florida, making the state's veteran population the third largest nationally.²

United States Armed Forces

The U.S. Armed Forces are made up of the six military branches: Air Force, Army, Coast Guard,³ 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.⁴

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.⁵

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

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

³ 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).

⁴ 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).

⁵ Today's Military, *Enlisted and Officer Paths*, available at <https://www.todaysmilitary.com/ways-to-serve/enlisted-officer-paths> (last visited Dec. 8, 2021).

classification systems. The U.S. Army and Marines use the MOS Job Line Categories,⁶ the Navy and Coast Guard use job “Ratings” categories, though not the same ones,^{7,8} 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 medics, hospital corpsmen, and medical technicians, generally, recognizing that each service branch has its own unique nuances and requirements.

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.⁹

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:

⁶ 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. 7, 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).

⁷ The Balancecareers.com, Careers, Navy Jobs, *Navy Hospital Corpsman (HM) Enlisted Ratings* available at <https://www.thebalancecareers.com/hospital-corpsman-3345823> (last visited Jan. 11, 2022).

⁸ The Balancecareers.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).

⁹ 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).

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 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.¹⁰

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 MEPS¹¹ 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.¹²

The ASVAB exam is a series of subtests to help the Army and Marines determine what MOS job classification, what Rating in the Navy,^{13,14,15} 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;

¹⁰ Today's Military, *Boot Camp*, available at <https://www.todaysmilitary.com/joining-eligibility/boot-camp> (last visited Dec. 8, 2021).

¹¹ 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.

¹² 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).

¹³ The Balancecareers.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."

¹⁴ 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).

¹⁵ 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).

- Electronics Information (EI): Measures knowledge of electrical current, circuits, devices, and electronic systems;
- 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 is used to determine 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.^{16,17}

The Army currently has the longest list of available MOS job line categories.¹⁸ 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 ¹⁹
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

¹⁶ 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).

¹⁷ 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. 7, 2022).

¹⁸ . 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).

¹⁹ *Id.* VE, or Verbal Expression, is the sum of PC and WK.

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.²⁰

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.²¹ 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.²²

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.²³

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;
- Insert IVs;
- Apply a tourniquet;
- Suture a wound;
- Perform cardiopulmonary resuscitation (CPR);
- Administer oxygen;

²⁰ Medical Education and Training Campus, *Welcome to the Medical Education & Training Campus (METC)*, available at www.metc.mil (last visited Jan. 7, 2022).

²¹ 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. 7, 2022).

²² 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. 7, 2022).

²³ 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. 7, 2022).

- 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.²⁴

Navy and Marine²⁵ Hospital Corpsman (HM)

Only U.S. citizens can enlist to serve in the U.S. Navy to be a hospital corpsman (HM). Like U.S. Army recruits, Navy recruits must complete the ASVAB exam at the MEPS, and basic training.

Qualifications and Training

The minimum ASVAB exam scores associated with the Navy rating for HM jobs is 156; a combination of the recruit’s VE (which is the combination of the WK and PC scores), plus the MK and GS.²⁶

Upon completion of the initial seven to nine weeks of boot camp at Command Great Lakes, Illinois, an HM recruit reports for AIT including Hospital Corpsman “A” School, which is 19 weeks at the METC, in San Antonio, Texas, for training on basic principles and techniques of patient care and first aid procedures. Advanced technical training, or “C” school, is optional and available to those who qualify after “A” School training is completed.

An HM assists in a wide range of departments and procedures, from dispensing vaccines and analyzing lab samples to aiding in dental operations and assisting in emergency surgeries.²⁷ Currently, an HM graduates from an approved EMT course while attending his or her “A” school, the initial job-specific training at METC, which meets the entry requirement for national certification, but the Navy does not require sailors to test at that time.²⁸

²⁴ *Id.*

²⁵ The United States Marines actually use Navy corpsmen as their medical support professionals. Corpsman train as soldiers as well as HMs, and serve alongside both Navy and Marine forces. 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. 8, 2022).

²⁶ America’s Navy, *Hospital Corpsman*, available at <https://www.navy.com/careers/hospital-corpsman> (last visited Jan. 8, 2022); The Balancecareers.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).

²⁷ *Id.*

²⁸ Iron-Set, *Are Navy corpsman EMT certified?* available at <https://iron-set.com/us/what-rank-is-a-corpsman-in-the-navy/#:~:text=Men%20and%20women%20between%2017%20and%2034%20years,must%20have%20a%20high%20school%20diploma%2C%20at%20minimum> (last visited Jan. 8, 2022).

An HM assists health care professionals in providing medical care to Navy personnel and their families. They function as clinical or specialty technicians, medical administrative personnel, and health care providers at medical treatment facilities. Specifically, HMs may be called upon to:

- Perform emergency medical treatment on SEALs, Seabees, Marines, and other military personnel injured in the field, as well as on sailors aboard ships or aircraft;
- Perform emergency dental treatment as well as construct dental crowns and bridges, process dental X-rays, and operate X-ray equipment;
- Serve as an operating room technician for general and specialized surgery;
- Help administer a wide range of preventive care and medications, including immunizations and intravenous fluids;
- Conduct physical examinations and assist in the treatment of diseases and injuries;
- Supervise sanitation and safety conditions in the workplace;
- Maintain patient treatment records, conduct research and perform clinical tests;
- Assist Navy physicians and nurses in a variety of medical fields, including, but not limited to:
 - Radiology;
 - Physical therapy;
 - Phlebotomy;
 - Dental;
 - Surgery;
 - Family medicine;
 - Pathology; and
 - Women's health.²⁹

The Navy and Marines utilize at least 38 Navy Enlisted Classifications (NEC) associated with HM Ratings which include the following various types HMs:

- Search and Rescue Medical Technician;
- Submarine Force Independent Duty Corpsman;
- Fleet Marine Force Reconnaissance Independent Duty Corpsman;
- Field Medical Service Technician;
- Aerospace Medical Technician;
- Surface Force Independent Duty Corpsman; and
- Fleet Marine Force Reconnaissance Corpsman.

Air Force and Space Force Aerospace Medical Service Technician (AMST)

The generic medic in the Air Force and Space Force is equivalent to a medic in the Army or a corpsman in the Navy and has the job title Aerospace Medical Service Technician (AMST).³⁰ Potential Air Force and Space Force AMST recruits must also take the ASVAB exam and go through the MEPS tests to assess the recruit's physical and moral standards as set by the Air

²⁹ America's Navy, *Hospital Corpsman*, available at <https://www.navy.com/careers/hospital-corpsman> (last visited Jan. 8, 2022); Balancecareers.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).

³⁰ Balancecareers.com, Air Force Enlisted Medical Careers, *Aerospace Medical Service Technician*, available at <https://www.thebalancecareers.com/air-force-enlisted-medical-careers-2356501> (last visited Jan. 9, 2022).

Force and Space Force, the U.S. DOD, and federal law.³¹ All Air Force and Space Force recruits go for basic training at the Air Force BMT facility located at Lackland Air Force Base, San Antonio, Texas.³²

Education and Training

The Air Force and Space Force categorize enlisted jobs using either the MOS or AFSC categories. Both judge potential recruits in four areas: Administrative (A); Electronics (E); General (G); and Mechanical (M). With the exception of the Coast Guard, the Air Force requires the highest ASVAB exam scores for entry and requires candidates to have a minimum AFQT test score of 36 with a high school diploma or a minimum AFQT test score of 50 with a GED.³³

The Air Force and Space Force train their AMSTs at METC starting with the Aerospace Medical Service Apprentice (AMSA) program, which provides the recruits with a basic knowledge, through simulated and clinical training, of various aspects in emergency, nursing, and primary care. Subjects include BLS, medical terminology, anatomy and physiology, EMT curriculum, as well as various aspects of nursing and primary patient care. Outcome-based practice and safety techniques are emphasized throughout the program. The program consists of lectures, group activities, demonstrations, hands-on instruction, and clinical practice. Performance exercises, written examinations, and clinical and practicum are used to assess accumulation and retention of knowledge and skills. Lecture, demonstration, online materials, simulations, and laboratory practice are utilized throughout the program.

The program provides graduates with technical skills and knowledge required to achieve entry-level AMST task requirements and prepares the recruits for the required certification from the National Registry of EMTs. AMST recruits must pass the national certification/examination to serve as an AMST. The program prepares the recruit to perform inpatient and outpatient operations in both traditional and non-traditional settings. The program is made up of the following courses:

- Anatomy & Physiology;
- EMT;
- Basic Nursing; and
- Advanced Nursing.³⁴

Coast Guard Health Service Technician (HS)

The Coast Guard accepts fewer new recruits than the other branches of the military, and qualifying requirements are strict. In addition to basic citizenship and physical fitness

³¹ U.S. Air Force available at <https://www.airforce.com/how-to-join/process/enlisted> (last visited Jan. 8, 2022).

³² U.S. Space Force, Space Force News, *Space Force Enlists First Trainees, Sends to Bootcamp*, available at <https://www.spaceforce.mil/News/Article/2387089/space-force-enlists-first-trainees-to-bootcamp> (last visited Jan. 9, 2022). The Air Force BMT is 8.5 weeks and the Space Force is 7.5 weeks.

³³ Operation Military Kids, *ASVAB Scores For Air Force Jobs: All 130+ For 2021*, available at <https://www.operationmilitarykids.org/asvab-scores-for-air-force-jobs/> (last visited Jan. 9, 2022).

³⁴ Medical Education and Training Campus, Joint Base San Antonio, Fort Sam Houston, Texas, *2021 Program Catalog*, Rev. Jun. 30, 2021, available at <https://www.metc.mil/Academics/Catalog/> (last visited Jan. 9, 2022).

prerequisites, the Coast Guard sets academic standards at will.³⁵ The Coast Guard requires a minimum AFQT score of 36 to even be considered, and a minimum ASVAB exam score of 154 to be considered for an HS job classification.³⁶ The Coast Guard has 20 enlisted jobs ratings divided into four categories.³⁷ The HS falls under the Administrative and Scientific job category.³⁸

Education and Training

An HS receives five months of intense training at the HS "A" school in Petaluma, California. The training is performance based and provides lectures, laboratory demonstrations, practical exercises, and clinical experiences in the areas of anatomy, medical administration, basic clinical laboratory procedures, asepsis and sterilization technique, preventive medicine, nursing skills, pharmacy clinical sick call, wound repair, clinical services, leadership and management. The school also teaches classes about medical management information systems including; the Composite Health Care System, Provider Graphic User Interface and Medical Readiness Reporting System. Currently the school also includes a seven-week basic course in EMT training.³⁹

The Coast Guard HS provides emergency health care services and daily medical care for Coast Guard personnel and their families. HS tasks include assisting medical and dental officers performing diagnostic testing, X-rays, lab tests, prescribing medications, administering immunizations, and performing minor surgical procedures. An HS is normally assigned to a large Coast Guard clinic, small sick bay ashore, or aboard a cutter.⁴⁰

³⁵ Balancecareers.com, U.S. Military Careers, Military Branches, Pros and Cons of Enlisting in the Coast Guard, *Coast Guard Requirements*, available at <https://www.thebalancecareers.com/pros-cons-enlisting-in-coast-guard-4061204#toc-coast-guard-requirements> (last visited Jan. 9, 2022).

³⁶ The Balancecareers.com, U.S. Military Careers, Military Branches, Pros and Cons of Enlisting in the Coast Guard, *Coast Guard Requirements*, available at <https://www.operationmilitarykids.org/asvab-scores-for-coast-guard-jobs/> (last visited Jan. 9, 2022).

³⁷ *Id.* The Coast Guard only used four job classifications: Deck and Ordnance; Hull and Engineering; Aviation; and Administrative and Scientific.

³⁸ The Balancecareers.com, U.S. Military Careers, Military Branches, Pros and Cons of Enlisting in the Coast Guard, *Coast Guard Job Opportunities*, available at <https://www.operationmilitarykids.org/asvab-scores-for-coast-guard-jobs/> (last visited Jan. 9, 2022). Deck and Ordnance includes Maritime Enforcement Specialists (ME), Boatswain's Mate (BM), Gunner's Mate (GM), Operations Specialist (OS), and Intelligence Specialist (IS); Hull and Engineering includes Damage Controlman (DC), Electrician's Mate (EM), Electronics Technician (ET), Information System Technician (IT), and Machinery Technician (MK); Aviation includes Avionics Electrical Technician (AET), Aviation Maintenance Technician (AMT), and Aviation Survival Technician (AST); and Administrative and Scientific includes Food Service Specialist (FS), Health Services Technician (HS), Marine Science Technician (MST), Musician (MU), Public Affairs Specialist (PA), Storekeeper (SK), and Yeoman (YN).

³⁹ Gocoastguard.com, Active Duty Careers, Enlisted Opportunities, View Job Descriptions, Health Service Technician (HS), *Training Available.*, available at <https://www.gocoastguard.com/active-duty-careers/enlisted-opportunities/view-job-descriptions/hs> (last visited Jan. 9, 2022).

⁴⁰ Gocoastguard.com, Active Duty Careers, Enlisted Opportunities, View Job Descriptions, Health Service Technician (HS), *Training Available.*, available at <https://www.gocoastguard.com/active-duty-careers/enlisted-opportunities/view-job-descriptions/hs> (last visited Jan. 9, 2022).

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;
- Medical Malpractice at a Federally Funded Clinic;
- Premises Liability on Federal Property;
- Vehicle Accident Involving Federal Employee; and
- Personal Injury by Federal Employee.⁴¹

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 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.⁴²

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.⁴³ 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 boards⁴⁴ and professions within the DOH.⁴⁵

⁴¹ 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).

⁴² Section 768.28, F.S.

⁴³ Sections 20.43 and 456.003, F.S.

⁴⁴ 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.

⁴⁵ Section 20.43, F.S.

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.⁴⁶

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.⁴⁷ 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.⁴⁸

⁴⁶ The Department of Health, *Senate Bill 466, 2022 Agency Legislative Bill Analysis* (Dec. 8, 2021)(on file with the Senate Committee on Health Policy).

⁴⁷ 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.

⁴⁸ Section 456.072, F.S.

Practice of Medicine

Allopathic 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.⁴⁹

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.⁵⁰

Osteopathic Medicine

An osteopathic physician is a person who is licensed to practice osteopathic medicine Florida. The practice of osteopathic medicine includes the diagnosis, treatment, operation, or prescription for any human disease, pain, injury, deformity, or other physical or mental condition, which practice is based in part upon educational standards and requirements that emphasize the importance of the musculoskeletal structure and manipulative therapy in the maintenance and restoration of health.⁵¹

Practicing or offering to practice osteopathic medicine beyond the scope permitted by law, includes accepting and performing professional responsibilities which the licensee knows or has reason to know that he or she is not competent to perform. The 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.⁵²

The Practice of Nursing

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

The Advance Practitioner Registered Nurse (APRN)

The scope of practice for an APRN includes performing acts of nursing diagnosis and nursing treatment for alterations of the health status. The APRN may also perform acts of medical diagnosis and treatment, prescription, and operation as authorized by the supervising physician or dentist. These tasks include, but are not limited to:

- Initiate appropriate therapies for certain conditions.
- Order diagnostic tests and physical and occupational therapy.

⁴⁹ Section 458.305, F.S.

⁵⁰ Section 458.311(1)(c), F.S.

⁵¹ Section 459.003, F.S.

⁵² Section 459.015(1)(z), F.S.

- Order any medication for administration to a patient in certain licensed health care facilities.
- Within his or her specialty, an APRN may also:
 - Manage selected medical problems.
 - Order physical and occupational therapy.
 - Initiate, monitor, or alter therapies for certain uncomplicated acute illnesses.
 - Monitor and manage patients with stable chronic diseases.
 - Establish behavioral problems and diagnosis and make treatment recommendations.⁵³

The Autonomous Advanced Practice Registered Nurse (AAPRN)

The AAPRN may engage in autonomous practice only in primary care, including family medicine, general pediatrics, and general internal medicine, in a manner that meets the General Standard of Practice. The general standard of practice shall be that standard of practice, care, skill, and treatment which, in light of all relevant surrounding circumstances, is recognized as acceptable and appropriate by reasonably prudent similarly situated, educated, and licensed APRNs.^{54,55} Primary care practice includes physical and mental health promotion, assessment, evaluation, disease prevention, health maintenance, counseling, patient education, diagnosis and treatment of acute and chronic illnesses, inclusive of behavioral and mental health conditions.⁵⁶

The Registered Nurse (RN)

The RN may perform acts requiring substantial specialized knowledge, judgment, and nursing skill based upon applied principles of psychological, biological, physical, and social sciences which shall include, but not be limited to:

- The observation, assessment, nursing diagnosis, planning, intervention, and evaluation of care;
- Health teaching and counseling of the ill, injured, or infirm;
- The promotion of wellness, maintenance of health, and prevention of illness of others;
- The administration of medications and treatments as prescribed or authorized by a duly licensed practitioner legally authorized to prescribe such medications and treatments; and
- The supervision and teaching of other personnel in the theory and performance of other nursing tasks.⁵⁷

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.⁵⁸

⁵³ Section 464.003, F.S.

⁵⁴ Section 464.0123, F.S.

⁵⁵ Fla. Admin Code R. 64B9-4.021 and 64B9-4.020, (2021)

⁵⁶ Fla. Admin. Code R. 64B9-4.001(12), (2021).

⁵⁷ Section 464.003(19), F.S.

⁵⁸ Section 464.003(18), F.S.

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.⁵⁹

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;⁶⁰ 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.⁶¹

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.⁶² 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.⁶³

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

⁵⁹ Section 464.201(5), F.S.

⁶⁰ Section 401.013, F.S.

⁶¹ Section 401.211, F.S.

⁶² See ss. 401.101 and 401.104, F.S.

⁶³ Section 401.111, F.S.

(BLS) transportation services must be licensed as a BLS service or an ALS service, or both, before offering such service to the public.⁶⁴

The Emergency Medical Technician (EMT)

An EMT is certified by the DOH to perform BLS techniques.⁶⁵ 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 reaction, and other techniques described in the U.S. DOT, EMT Basic Training Course Curriculum (EMT-BTCC).⁶⁶

The Paramedic

A certified paramedic may perform both BLS and ALS.⁶⁷ 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, cardiac defibrillation, and other techniques described in the EMT-Paramedic National Standard Curriculum or the National EMS Education Standards, pursuant to DOH administrative rules.⁶⁸

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.⁶⁹

Qualifications for Licensure

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.

⁶⁴ Section 401.25(1), F.S.

⁶⁵ Section 401.23(11), F.S.

⁶⁶ Section 401.23(7), F.S.

⁶⁷ Section 401.23(17), F.S.

⁶⁸ Section 401.23(1), F.S.

⁶⁹ Section 401.2715, F.S.

- 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.

Allopathic Medical Licensure (MD)

Licensure by examination for an MD, includes the following minimum education and examination qualifications, with noted alternative methods to meet requirements:

- Graduate of a U.S. allopathic medical school recognized by the U.S. Department of Education and completion of one year of approved residency training; or
- Graduate of an international allopathic medical school and have a valid Educational Commission for Foreign Medical Graduates certificate and completion of a two-year approved residency in one specialty area; or
- Graduate of an international medical school except the internship or social service requirement, passed parts I and II of the National Board of Medical Examiners (NBME) or Educational Commission for Foreign Medical Graduates (ECFMG) equivalent examination, and completed an academic year of supervised clinical training and completed 2 year approved residency in one specialty area.
- Passed all parts of a national examination (NBME, U.S. Medical Licensing Examination, or Federation Licensing Examination); or
- Currently licensed in the United States or Canada, and has actively practiced pursuant to such licensure for at least 10 years, has passed a state board or Licentiate of the Medical Council of Canada (LMCC) examination, and passed the Special Purpose Examination (SPEX); or
- Licensed on the basis of a state board examination prior to 1974 and is currently licensed in at least three other jurisdictions in the United States or Canada and practiced pursuant to such licensure for at least twenty years.⁷⁰

Osteopathic Medical Licensure (DO)

Licensure as a DO physician includes the following minimum education and examination qualifications, with noted alternative methods to meet requirements:

- Graduate of an osteopathic medical school approved by the American Osteopathic Association (AOA) and completion of an approved internship or a residency (not less than 12 months) accredited by the American Osteopathic Association or the Accreditation Council for Graduate Medical Education. This requirement may be waived for an applicant who matriculated in a college of osteopathic medicine during or before 1948.
- Passed all three parts of the National Board of Osteopathic Medical Examiners (NBOME) exam within five years of application or licensure in another state, or a substantially similar exam approved by the Board.
- If licensed in another state, have actively and continuously engaged in the practice of osteopathic medicine for the period time after being initially licensed with interruption to practice totaling no more than two years (or for a longer period of time if the Board

⁷⁰ Section 458.311, F.S.

determines that the interruption of the osteopathic physician's practice has not adversely affected the physician's present ability and fitness to practice osteopathic medicine).⁷¹

Advanced Practice Registered Nurse (APRN)

Licensure for an APRN, in accordance with s. 464.012, F.S., includes the following minimum education qualifications, with noted alternative methods to meet requirements:

- Applicants who graduated on or after October 1, 1998, must have completed requirements for a master's degree or post-master's degree certification.
- Certified Registered Nurse Anesthetist (CRNA) applicants who graduated on or after October 1, 2001, must have completed requirements for a master's degree program.
- Applicants who graduated prior to the dates specified are exempt from this requirement.
- After July 1, 2006, applicants for licensure as an APRN pursuant to s.464.012(1), F.S., shall submit proof of national advanced practice certification from an approved nursing specialty board.

Licensure for APRNs, in accordance with s. 464.012, F.S., includes the following minimum education qualifications, with noted alternative methods to meet requirements:

- Applicants who graduated on or after October 1, 1998, must have completed requirements for a master's degree or post-master's degree certification;
- Certified Registered Nurse Anesthetist applicants who graduated on or after October 1, 2001, must have completed requirements for a master's degree program;
- Applicants who graduated prior to the dates specified are exempt from this requirement; and
- After July 1, 2006, applicants for licensure as an APRN pursuant to s. 464.012(1), F.S., must submit proof of national advanced practice certification from an approved nursing specialty board.

Autonomous Advanced Practice Registered Nurse (AAPRN)

To register as an AAPRN, the requirements are as follows and can be found in s. 464.0123, F.S.:

- Hold a clear, active, Florida APRN license;
- Completed at least 3,000 clinical hours under the supervision of an allopathic or osteopathic physician within the past five years. These hours may include clinical instructional hours.⁷²
- Submit proof of three graduate-level semester hours (or the equivalent) in differential diagnosis, and three graduate-level semester hours (or the equivalent)⁷³ in pharmacology, completed within the last five years; and
- Not have been subject to disciplinary action within the past five years;

Registered Nurse (RN) and Licensed Practical Nurse (LPN)

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

⁷¹ Section 458.311, F.S.

⁷² See s. 464.0123(1)(c), F.S. for complete requirements.

⁷³ See Fla. Admin. Code R. 64B9-4.002(2), (2021). Three graduate-level semester hours are equivalent to forty-five (45) Continuing Education credits offered by the entities set forth in Section 464.013(3)(b), F.S.

- Graduation from a Florida approved, or accredited LPN or RN 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 or RN 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 or RN 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 generic Master of Science in Nursing (MSN) or higher 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 determines to be equivalent to an approved program; or
- There are specific qualifications related to Canadian Registered Nurses who took the Canadian Nurses Association Testing Service (CNATS) Examination; 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).

An LPN or RN 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.

Certified Nursing Assistant (CNA)

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
- 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.

Emergency Medical Technicians (EMT)

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

Paramedic

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

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).

- *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 is current, in good standing, and has successfully completed an advance cardiac life support course.⁷⁵

III. Effect of Proposed Changes:

SB 466 creates the MMACOF program within the DVA and requires the DVA, in collaboration with the DOH, to establish and administer the program to offer assistance to veterans, who have achieved certain levels of practice skills in the last 12 months, clinical, leadership, and non-clinical career pathways to employment in health care in Florida.

The bill requires the DVA, in collaboration with local, state, and federal government nonprofit health care associations and state health care systems, to refer eligible veterans to participating health care providers throughout the state in order for them to gain employment, maintain medical skills, address the shortage of health care professionals, and work toward obtaining appropriate health care registration, certification, or licensure.

The bill defines the term “medically trained veteran” as a person who has served within the preceding 12 months 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, who was discharged or separated from service under conditions other than dishonorable, and who has performed more than 50 percent of the required scope of specific health care practice skills established by the DVA, in collaboration with the DOH, to participate in the MMACOF program.

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

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

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

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

⁷⁵ 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).

Under the bill, the *MMACOF Qualified* component seeks to permit medically trained veterans, who have performed more than 50 percent of the required scope of specific health care practice skills established by the DVA, in collaboration with the DOH, within the preceding 12 months, to continue practicing those skills in a civilian health care setting under specific conditions while obtaining the appropriate health care registration, certification, or licensure. Specifically, and notwithstanding any provision of law to the contrary, the medically trained veteran participating in the MMACOF program may:

- Perform activities that constitute the practice of medicine under the direct supervision of a physician licensed under ch. 458, F.S., an osteopathic physician licensed under ch. 459, F.S., or the chief medical officer of a participating health care provider.
- Perform activities that constitute the practice of nursing under the direct supervision of a physician licensed under ch. 458, F.S., an osteopathic physician licensed under ch. 459, F.S., or the chief medical officer of a participating health care provider; except that the chief medical officer of a participating health care provider may, in consultation with the chief nursing officer of such participating health care provider, designate a registered nurse licensed under ch. 464, F.S., or practicing with a multistate license, to supervise medically trained veterans in the practice of nursing.

The activities performed by the medically trained veteran must reflect his or her level of training and experience. The supervising physician or registered nurse, as applicable, shall retain responsibility for the care of the patient.

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 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 Florida DVA for the MMACOF program. The bill does not specify the roles that the MQA will contribute; therefore, the fiscal impact is indeterminate.⁷⁶

According to the Florida DVA, the bill will require additional full-time-equivalent personnel to support the bill's mission, which would include establishing a separate bureau to handle recruitment, placement, and the determination eligibility of veterans for the program.⁷⁷

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).

⁷⁶ Florida Department of Health, 2022 Legislative Analysis of SB 466, dated October 21, 2021 (on file with the Senate Committee on Health Policy).

⁷⁷ Florida Department of Veterans Affairs, 2022 Legislative Analysis of SB 466, (on file with the Senate Committee on Health Policy).

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.

The bill also provides that the activities performed by the medically trained veteran must reflect his or her level of training and experience, but does not define, nor give the Florida DVA nor DOH, the authority to define, what activities fall within the medically trained veteran's level of training and experience that constitute the practice of medicine or nursing, or what constitutes direct supervision of these medically trained veterans under the bill.

The bill provides that, notwithstanding any provision of law to the contrary, a military trained veteran participating in the MMACOF program may perform activities that constitute the practice of medicine or the practice of nursing under the direct supervision of a physician. However, Army Combat Medic Specialists (CMS), Navy and Marine Hospital Corpsman (HM), Air Force and Space Force Aerospace Medical Service Technicians (AMST), and Coast Guard Health Service Technician (HS) are all entry-level job classifications similar to EMTs and paramedics, with some additional skills such as suturing, starting IVs, and drawing blood for labs. They are, by definition, not trained, experienced, or qualified to practice medicine or nursing, even under supervision. Allowing unlicensed individuals to practice medicine or nursing, even under supervision, could potentially place patients at risk.

The bill also does not provide for any rule making authority to the DVA or the DOH to address the following issues:

- Lack of licensing, certification, or registration of the medically trained veteran;
- Lack of adverse incidences reporting;
- Absence of professional liability insurance;
- Absence of legislative direction on how long the status of “medically qualified veteran” may exist; how the status is renewed; and what, if any, continuing education, reporting or other requirements are necessary to renew or maintain it; and
- Lack of provision for professional discipline of the supervising health care provider or the medically trained veteran for violations of standards of practice, criminal conduct, the federal Health Insurance Portability and Accountability Act, etc.

VIII. Statutes Affected:

This bill creates section 295.126 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.)

None.

- B. **Amendments:**

None.

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