

1 A bill to be entitled
2 An act relating to the Department of Health; amending
3 s. 381.0045, F.S.; revising the purpose of the
4 department's targeted outreach program for certain
5 pregnant women; requiring the department to encourage
6 high-risk pregnant women of unknown status to be
7 tested for sexually transmissible diseases; requiring
8 the department to provide specified information to
9 pregnant women who have human immunodeficiency virus
10 (HIV); requiring the department to link women with
11 mental health services when available; requiring the
12 department to educate pregnant women who have HIV on
13 certain information; requiring the department to
14 provide, for a specified purpose, continued oversight
15 of newborns exposed to HIV; amending s. 381.0303,
16 F.S.; removing the Children's Medical Services office
17 from parties required to coordinate in the development
18 of local emergency management plans for special needs
19 shelters; amending s. 381.986, F.S.; authorizing the
20 department to select samples of marijuana from medical
21 marijuana treatment center facilities for certain
22 testing; authorizing the department to select samples
23 of marijuana delivery devices from medical marijuana
24 treatment centers to determine whether the device is
25 safe for use; requiring medical marijuana treatment

26 centers to recall marijuana and marijuana delivery
27 devices, instead of just edibles, under certain
28 circumstances; exempting the department and its
29 employees from criminal provisions if they acquire,
30 possess, test, transport, or lawfully dispose of
31 marijuana and marijuana delivery devices under certain
32 circumstances; amending s. 401.23, F.S.; revising
33 definitions; amending s. 401.25, F.S.; conforming a
34 provision to changes made by the act; amending s.
35 401.27, F.S.; revising certification and
36 recertification requirements for emergency medical
37 technicians and paramedics; amending s. 401.2701,
38 F.S.; revising requirements for emergency medical
39 services training programs; authorizing certain site
40 visits to be conducted either in person or through
41 electronic means; authorizing programs to substitute
42 certain simulated, remote videoconferencing options
43 for in-person training and related requirements;
44 specifying requirements for requests for department
45 approval of such options; providing for the renewal of
46 program certification; providing for initial and
47 ongoing department site visits of programs; revising
48 program application procedures; amending s. 401.272,
49 F.S.; revising functions paramedics and emergency
50 medical technicians may perform in nonemergency

51 environments; authorizing paramedics to administer
52 public health countermeasures in nonemergency
53 environments under certain circumstances; conforming
54 provisions to changes made by the act; amending s.
55 401.30, F.S.; revising recordkeeping requirements for
56 emergency medical services providers; authorizing
57 records to be in either written or electronic formats;
58 revising the list of individuals and entities that may
59 receive limited disclosure of certain otherwise
60 confidential and exempt records; requiring the release
61 of such records to be in compliance with specified
62 provisions; amending s. 401.34, F.S.; deleting
63 provisions and fees related to an obsolete
64 examination; amending s. 401.425, F.S.; authorizing
65 emergency medical review committees to review the
66 performances of emergency medical technicians,
67 paramedics, and emergency medical services providers
68 to make recommendations for improvement; amending s.
69 401.435, F.S.; relabeling "first responder agencies"
70 as "emergency medical responder agencies"; revising
71 minimum standards for emergency medical first
72 responder training; amending s. 460.406, F.S.;
73 revising provisions related to chiropractic physician
74 licensing; amending s. 464.008, F.S.; deleting a
75 requirement that certain nursing program graduates

76 complete a specified preparatory course; amending s.
77 464.018, F.S.; revising grounds for disciplinary
78 action against licensed nurses; amending s. 467.003,
79 F.S.; revising and defining terms; amending s.
80 467.009, F.S.; revising provisions related to approved
81 midwifery programs; amending s. 467.011, F.S.;
82 revising requirements for licensure of midwives;
83 amending s. 467.0125, F.S.; revising requirements for
84 licensure by endorsement of midwives; revising
85 requirements for temporary certificates to practice
86 midwifery in this state; amending s. 467.205, F.S.;
87 revising provisions relating to approval, continued
88 monitoring, probationary status, provisional approval,
89 and approval rescission of midwifery programs;
90 amending s. 468.803, F.S.; revising provisions related
91 to orthotist and prosthetist registration,
92 examination, and licensing; amending s. 483.824, F.S.;
93 revising educational requirements for clinical
94 laboratory directors; amending s. 490.003, F.S.;
95 defining the terms "doctoral degree from an American
96 Psychological Association accredited program" and
97 "doctoral degree in psychology"; amending ss. 490.005
98 and 490.0051, F.S.; revising education requirements
99 for psychologist licensure and provisional licensure,
100 respectively; amending s. 491.005, F.S.; revising

101 requirements for licensure of clinical social workers,
 102 marriage and family therapists, and mental health
 103 counselors; requiring that a licensed mental health
 104 professional be accessible through certain means when
 105 a registered intern provides clinical services through
 106 telehealth; amending s. 766.314, F.S.; deleting
 107 obsolete language and updating provisions to conform
 108 to current law; revising the frequency with which the
 109 department must submit certain reports to the Florida
 110 Birth-Related Neurological Injury Compensation
 111 Association; revising the content of such reports;
 112 providing an effective date.

113

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

115

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

118 381.0045 Targeted outreach for pregnant women.—

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

- 126 (3) The department shall:
- 127 (a) Conduct outreach programs through contracts with,
128 grants to, or other working relationships with persons or
129 entities where the target population is likely to be found.
- 130 (b) Provide outreach that is peer-based, culturally
131 sensitive, and performed in a nonjudgmental manner.
- 132 (c) Encourage high-risk pregnant women of unknown status
133 to be tested for HIV and other sexually transmissible diseases
134 as specified by department rule.
- 135 (d) Educate women not receiving prenatal care as to the
136 benefits of such care.
- 137 (e) Provide ~~HIV-infected~~ pregnant women who have HIV with
138 information on the need for antiretroviral medication for their
139 newborn, their medication options, and how they can access the
140 medication after their discharge from the hospital ~~so they can~~
141 ~~make an informed decision about the use of Zidovudine (AZT).~~
- 142 (f) Link women with substance abuse treatment and mental
143 health services, when available, and act as a liaison with
144 Healthy Start coalitions, children's medical services, Ryan
145 White-funded providers, and other services of the Department of
146 Health.
- 147 (g) Educate pregnant women who have HIV on the importance
148 of engaging in and continuing HIV care.
- 149 (h) Provide continued oversight of any newborn exposed to
150 HIV to determine the newborn's final HIV status and ensure

151 continued linkage to care if the newborn is diagnosed with HIV
 152 ~~to HIV-exposed newborns.~~

153 Section 2. Paragraphs (a) and (c) of subsection (2) of
 154 section 381.0303, Florida Statutes, are amended to read:

155 381.0303 Special needs shelters.—

156 (2) SPECIAL NEEDS SHELTER PLAN; STAFFING; STATE AGENCY
 157 ASSISTANCE.—If funds have been appropriated to support disaster
 158 coordinator positions in county health departments:

159 (a) The department shall assume lead responsibility for
 160 the coordination of local medical and health care providers, the
 161 American Red Cross, and other interested parties in developing a
 162 plan for the staffing and medical management of special needs
 163 shelters and. ~~The local Children's Medical Services offices~~
 164 ~~shall assume lead responsibility for the coordination of local~~
 165 ~~medical and health care providers, the American Red Cross, and~~
 166 ~~other interested parties in developing a plan for the staffing~~
 167 ~~and medical management of pediatric special needs shelters.~~
 168 Plans must conform to the local comprehensive emergency
 169 management plan.

170 (c) The appropriate county health department, ~~Children's~~
 171 ~~Medical Services office,~~ and local emergency management agency
 172 shall jointly decide who has responsibility for medical
 173 supervision in each special needs shelter.

174 Section 3. Present paragraphs (e) through (h) of
 175 subsection (14) of section 381.986, Florida Statutes, are

176 redesignated as paragraphs (f) through (i), respectively, a new
177 paragraph (e) is added to that subsection, and paragraph (e) of
178 subsection (8) of that section is amended, to read:

179 381.986 Medical use of marijuana.—

180 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

181 (e) A licensed medical marijuana treatment center shall
182 cultivate, process, transport, and dispense marijuana for
183 medical use. A licensed medical marijuana treatment center may
184 not contract for services directly related to the cultivation,
185 processing, and dispensing of marijuana or marijuana delivery
186 devices, except that a medical marijuana treatment center
187 licensed pursuant to subparagraph (a)1. may contract with a
188 single entity for the cultivation, processing, transporting, and
189 dispensing of marijuana and marijuana delivery devices. A
190 licensed medical marijuana treatment center must, at all times,
191 maintain compliance with the criteria demonstrated and
192 representations made in the initial application and the criteria
193 established in this subsection. Upon request, the department may
194 grant a medical marijuana treatment center a variance from the
195 representations made in the initial application. Consideration
196 of such a request shall be based upon the individual facts and
197 circumstances surrounding the request. A variance may not be
198 granted unless the requesting medical marijuana treatment center
199 can demonstrate to the department that it has a proposed
200 alternative to the specific representation made in its

201 application which fulfills the same or a similar purpose as the
202 specific representation in a way that the department can
203 reasonably determine will not be a lower standard than the
204 specific representation in the application. A variance may not
205 be granted from the requirements in subparagraph 2. and
206 subparagraphs (b)1. and 2.

207 1. A licensed medical marijuana treatment center may
208 transfer ownership to an individual or entity who meets the
209 requirements of this section. A publicly traded corporation or
210 publicly traded company that meets the requirements of this
211 section is not precluded from ownership of a medical marijuana
212 treatment center. To accommodate a change in ownership:

213 a. The licensed medical marijuana treatment center shall
214 notify the department in writing at least 60 days before the
215 anticipated date of the change of ownership.

216 b. The individual or entity applying for initial licensure
217 due to a change of ownership must submit an application that
218 must be received by the department at least 60 days before the
219 date of change of ownership.

220 c. Upon receipt of an application for a license, the
221 department shall examine the application and, within 30 days
222 after receipt, notify the applicant in writing of any apparent
223 errors or omissions and request any additional information
224 required.

225 d. Requested information omitted from an application for

226 licensure must be filed with the department within 21 days after
227 the department's request for omitted information or the
228 application shall be deemed incomplete and shall be withdrawn
229 from further consideration and the fees shall be forfeited.

230 e. Within 30 days after the receipt of a complete
231 application, the department shall approve or deny the
232 application.

233 2. A medical marijuana treatment center, and any
234 individual or entity who directly or indirectly owns, controls,
235 or holds with power to vote 5 percent or more of the voting
236 shares of a medical marijuana treatment center, may not acquire
237 direct or indirect ownership or control of any voting shares or
238 other form of ownership of any other medical marijuana treatment
239 center.

240 3. A medical marijuana treatment center may not enter into
241 any form of profit-sharing arrangement with the property owner
242 or lessor of any of its facilities where cultivation,
243 processing, storing, or dispensing of marijuana and marijuana
244 delivery devices occurs.

245 4. All employees of a medical marijuana treatment center
246 must be 21 years of age or older and have passed a background
247 screening pursuant to subsection (9).

248 5. Each medical marijuana treatment center must adopt and
249 enforce policies and procedures to ensure employees and
250 volunteers receive training on the legal requirements to

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251 dispense marijuana to qualified patients.

252 6. When growing marijuana, a medical marijuana treatment
253 center:

254 a. May use pesticides determined by the department, after
255 consultation with the Department of Agriculture and Consumer
256 Services, to be safely applied to plants intended for human
257 consumption, but may not use pesticides designated as
258 restricted-use pesticides pursuant to s. 487.042.

259 b. Must grow marijuana within an enclosed structure and in
260 a room separate from any other plant.

261 c. Must inspect seeds and growing plants for plant pests
262 that endanger or threaten the horticultural and agricultural
263 interests of the state in accordance with chapter 581 and any
264 rules adopted thereunder.

265 d. Must perform fumigation or treatment of plants, or
266 remove and destroy infested or infected plants, in accordance
267 with chapter 581 and any rules adopted thereunder.

268 7. Each medical marijuana treatment center must produce
269 and make available for purchase at least one low-THC cannabis
270 product.

271 8. A medical marijuana treatment center that produces
272 edibles must hold a permit to operate as a food establishment
273 pursuant to chapter 500, the Florida Food Safety Act, and must
274 comply with all the requirements for food establishments
275 pursuant to chapter 500 and any rules adopted thereunder.

276 Edibles may not contain more than 200 milligrams of
277 tetrahydrocannabinol, and a single serving portion of an edible
278 may not exceed 10 milligrams of tetrahydrocannabinol. Edibles
279 may have a potency variance of no greater than 15 percent.
280 Edibles may not be attractive to children; be manufactured in
281 the shape of humans, cartoons, or animals; be manufactured in a
282 form that bears any reasonable resemblance to products available
283 for consumption as commercially available candy; or contain any
284 color additives. To discourage consumption of edibles by
285 children, the department shall determine by rule any shapes,
286 forms, and ingredients allowed and prohibited for edibles.
287 Medical marijuana treatment centers may not begin processing or
288 dispensing edibles until after the effective date of the rule.
289 The department shall also adopt sanitation rules providing the
290 standards and requirements for the storage, display, or
291 dispensing of edibles.

292 9. Within 12 months after licensure, a medical marijuana
293 treatment center must demonstrate to the department that all of
294 its processing facilities have passed a Food Safety Good
295 Manufacturing Practices, such as Global Food Safety Initiative
296 or equivalent, inspection by a nationally accredited certifying
297 body. A medical marijuana treatment center must immediately stop
298 processing at any facility which fails to pass this inspection
299 until it demonstrates to the department that such facility has
300 met this requirement.

301 10. A medical marijuana treatment center that produces
302 prerolled marijuana cigarettes may not use wrapping paper made
303 with tobacco or hemp.

304 11. When processing marijuana, a medical marijuana
305 treatment center must:

306 a. Process the marijuana within an enclosed structure and
307 in a room separate from other plants or products.

308 b. Comply with department rules when processing marijuana
309 with hydrocarbon solvents or other solvents or gases exhibiting
310 potential toxicity to humans. The department shall determine by
311 rule the requirements for medical marijuana treatment centers to
312 use such solvents or gases exhibiting potential toxicity to
313 humans.

314 c. Comply with federal and state laws and regulations and
315 department rules for solid and liquid wastes. The department
316 shall determine by rule procedures for the storage, handling,
317 transportation, management, and disposal of solid and liquid
318 waste generated during marijuana production and processing. The
319 Department of Environmental Protection shall assist the
320 department in developing such rules.

321 d. Test the processed marijuana using a medical marijuana
322 testing laboratory before it is dispensed. Results must be
323 verified and signed by two medical marijuana treatment center
324 employees. Before dispensing, the medical marijuana treatment
325 center must determine that the test results indicate that low-

326 | THC cannabis meets the definition of low-THC cannabis, the
327 | concentration of tetrahydrocannabinol meets the potency
328 | requirements of this section, the labeling of the concentration
329 | of tetrahydrocannabinol and cannabidiol is accurate, and all
330 | marijuana is safe for human consumption and free from
331 | contaminants that are unsafe for human consumption. The
332 | department shall determine by rule which contaminants must be
333 | tested for and the maximum levels of each contaminant which are
334 | safe for human consumption. The Department of Agriculture and
335 | Consumer Services shall assist the department in developing the
336 | testing requirements for contaminants that are unsafe for human
337 | consumption in edibles. The department shall also determine by
338 | rule the procedures for the treatment of marijuana that fails to
339 | meet the testing requirements of this section, s. 381.988, or
340 | department rule. The department may select samples of marijuana
341 | ~~a random sample from edibles available for purchase in a~~ medical
342 | marijuana treatment center dispensing facility which shall be
343 | tested by the department to determine whether ~~that~~ the marijuana
344 | ~~edible~~ meets the potency requirements of this section, is safe
345 | for human consumption, and is accurately labeled with ~~the~~
346 | ~~labeling of~~ the tetrahydrocannabinol and cannabidiol
347 | concentration or to verify the result of marijuana testing
348 | conducted by a marijuana testing laboratory. The department may
349 | also select samples of marijuana delivery devices from a medical
350 | marijuana treatment center to determine whether the marijuana

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351 delivery device is safe for use by qualified patients ~~is~~
352 ~~accurate~~. A medical marijuana treatment center may not require
353 payment from the department for the sample. A medical marijuana
354 treatment center must recall marijuana edibles, including all
355 marijuana and marijuana products ~~edibles~~ made from the same
356 batch of marijuana, that fails ~~which fail~~ to meet the potency
357 requirements of this section, that is ~~which are~~ unsafe for human
358 consumption, or for which the labeling of the
359 tetrahydrocannabinol and cannabidiol concentration is
360 inaccurate. A medical marijuana treatment center must also
361 recall all marijuana delivery devices determined to be unsafe
362 for use by qualified patients. The medical marijuana treatment
363 center must retain records of all testing and samples of each
364 homogenous batch of marijuana for at least 9 months. The medical
365 marijuana treatment center must contract with a marijuana
366 testing laboratory to perform audits on the medical marijuana
367 treatment center's standard operating procedures, testing
368 records, and samples and provide the results to the department
369 to confirm that the marijuana or low-THC cannabis meets the
370 requirements of this section and that the marijuana or low-THC
371 cannabis is safe for human consumption. A medical marijuana
372 treatment center shall reserve two processed samples from each
373 batch and retain such samples for at least 9 months for the
374 purpose of such audits. A medical marijuana treatment center may
375 use a laboratory that has not been certified by the department

376 | under s. 381.988 until such time as at least one laboratory
 377 | holds the required certification, but in no event later than
 378 | July 1, 2018.

379 | e. Package the marijuana in compliance with the United
 380 | States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.
 381 | 1471 et seq.

382 | f. Package the marijuana in a receptacle that has a firmly
 383 | affixed and legible label stating the following information:

384 | (I) The marijuana or low-THC cannabis meets the
 385 | requirements of sub-subparagraph d.

386 | (II) The name of the medical marijuana treatment center
 387 | from which the marijuana originates.

388 | (III) The batch number and harvest number from which the
 389 | marijuana originates and the date dispensed.

390 | (IV) The name of the physician who issued the physician
 391 | certification.

392 | (V) The name of the patient.

393 | (VI) The product name, if applicable, and dosage form,
 394 | including concentration of tetrahydrocannabinol and cannabidiol.
 395 | The product name may not contain wording commonly associated
 396 | with products marketed by or to children.

397 | (VII) The recommended dose.

398 | (VIII) A warning that it is illegal to transfer medical
 399 | marijuana to another person.

400 | (IX) A marijuana universal symbol developed by the

401 department.

402 12. The medical marijuana treatment center shall include
403 in each package a patient package insert with information on the
404 specific product dispensed related to:

- 405 a. Clinical pharmacology.
- 406 b. Indications and use.
- 407 c. Dosage and administration.
- 408 d. Dosage forms and strengths.
- 409 e. Contraindications.
- 410 f. Warnings and precautions.
- 411 g. Adverse reactions.

412 13. In addition to the packaging and labeling requirements
413 specified in subparagraphs 11. and 12., marijuana in a form for
414 smoking must be packaged in a sealed receptacle with a legible
415 and prominent warning to keep away from children and a warning
416 that states marijuana smoke contains carcinogens and may
417 negatively affect health. Such receptacles for marijuana in a
418 form for smoking must be plain, opaque, and white without
419 depictions of the product or images other than the medical
420 marijuana treatment center's department-approved logo and the
421 marijuana universal symbol.

422 14. The department shall adopt rules to regulate the
423 types, appearance, and labeling of marijuana delivery devices
424 dispensed from a medical marijuana treatment center. The rules
425 must require marijuana delivery devices to have an appearance

426 consistent with medical use.

427 15. Each edible shall be individually sealed in plain,
 428 opaque wrapping marked only with the marijuana universal symbol.
 429 Where practical, each edible shall be marked with the marijuana
 430 universal symbol. In addition to the packaging and labeling
 431 requirements in subparagraphs 11. and 12., edible receptacles
 432 must be plain, opaque, and white without depictions of the
 433 product or images other than the medical marijuana treatment
 434 center's department-approved logo and the marijuana universal
 435 symbol. The receptacle must also include a list of all the
 436 edible's ingredients, storage instructions, an expiration date,
 437 a legible and prominent warning to keep away from children and
 438 pets, and a warning that the edible has not been produced or
 439 inspected pursuant to federal food safety laws.

440 16. When dispensing marijuana or a marijuana delivery
 441 device, a medical marijuana treatment center:

442 a. May dispense any active, valid order for low-THC
 443 cannabis, medical cannabis and cannabis delivery devices issued
 444 pursuant to former s. 381.986, Florida Statutes 2016, which was
 445 entered into the medical marijuana use registry before July 1,
 446 2017.

447 b. May not dispense more than a 70-day supply of marijuana
 448 within any 70-day period to a qualified patient or caregiver.
 449 May not dispense more than one 35-day supply of marijuana in a
 450 form for smoking within any 35-day period to a qualified patient

451 or caregiver. A 35-day supply of marijuana in a form for smoking
452 may not exceed 2.5 ounces unless an exception to this amount is
453 approved by the department pursuant to paragraph (4)(f).

454 c. Must have the medical marijuana treatment center's
455 employee who dispenses the marijuana or a marijuana delivery
456 device enter into the medical marijuana use registry his or her
457 name or unique employee identifier.

458 d. Must verify that the qualified patient and the
459 caregiver, if applicable, each have an active registration in
460 the medical marijuana use registry and an active and valid
461 medical marijuana use registry identification card, the amount
462 and type of marijuana dispensed matches the physician
463 certification in the medical marijuana use registry for that
464 qualified patient, and the physician certification has not
465 already been filled.

466 e. May not dispense marijuana to a qualified patient who
467 is younger than 18 years of age. If the qualified patient is
468 younger than 18 years of age, marijuana may only be dispensed to
469 the qualified patient's caregiver.

470 f. May not dispense or sell any other type of cannabis,
471 alcohol, or illicit drug-related product, including pipes or
472 wrapping papers made with tobacco or hemp, other than a
473 marijuana delivery device required for the medical use of
474 marijuana and which is specified in a physician certification.

475 g. Must, upon dispensing the marijuana or marijuana

476 delivery device, record in the registry the date, time,
 477 quantity, and form of marijuana dispensed; the type of marijuana
 478 delivery device dispensed; and the name and medical marijuana
 479 use registry identification number of the qualified patient or
 480 caregiver to whom the marijuana delivery device was dispensed.

481 h. Must ensure that patient records are not visible to
 482 anyone other than the qualified patient, his or her caregiver,
 483 and authorized medical marijuana treatment center employees.

484 (14) EXCEPTIONS TO OTHER LAWS.—

485 (e) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or
 486 any other law, but subject to the requirements of this section,
 487 the department, including an employee of the department acting
 488 within the scope of his or her employment, may acquire, possess,
 489 test, transport, and lawfully dispose of marijuana and marijuana
 490 delivery devices as provided in this section, in s. 381.988, and
 491 by department rule.

492 Section 4. Section 401.23, Florida Statutes, is amended to
 493 read:

494 401.23 Definitions.—As used in this part, the term:

495 (1) "Advanced life support" means assessment or treatment
 496 by a person certified ~~qualified~~ under this part to perform
 497 ~~through the use of techniques such as endotracheal intubation,~~
 498 ~~the administration of drugs or intravenous fluids, telemetry,~~
 499 ~~cardiac monitoring, cardiac defibrillation, and other techniques~~
 500 described for the paramedic level in ~~the EMT-Paramedic National~~

501 ~~Standard Curriculum or the United States Department of~~
 502 ~~Transportation's National EMS Education Standards and approved~~
 503 ~~by, pursuant to rules of the department rule.~~

504 (2) "Advanced life support service" means any emergency
 505 medical services provider that offers or provides transport or
 506 ~~nontransport service which uses~~ advanced life support
 507 ~~techniques.~~

508 (3) "Air ambulance" means any fixed-wing or rotary-wing
 509 aircraft used for, or intended to be used by an emergency
 510 medical services provider to provide, advanced life support
 511 services and transportation of individuals receiving such
 512 services for, ~~air transportation of sick or injured persons~~
 513 ~~requiring or likely to require medical attention during~~
 514 ~~transport.~~

515 (4) "Air ambulance service" means any emergency medical
 516 services provider that offers or provides advanced life support
 517 from or onboard an air ambulance ~~publicly or privately owned~~
 518 ~~service, licensed in accordance with the provisions of this~~
 519 ~~part, which operates air ambulances to transport persons~~
 520 ~~requiring or likely to require medical attention during~~
 521 ~~transport.~~

522 (5) "Ambulance" or "emergency medical services vehicle"
 523 means any ~~privately or publicly owned~~ land or water vehicle or
 524 air ambulance ~~that is designed, constructed, reconstructed,~~
 525 ~~maintained, equipped, or operated for, and is used by for, or~~

526 | intended to be used by an emergency medical services provider to
 527 | provide basic or advanced life support services ~~for, land or~~
 528 | ~~water transportation of sick or injured persons requiring or~~
 529 | ~~likely to require medical attention during transport.~~

530 | (6) "Ambulance driver" means any person who meets the
 531 | requirements of s. 401.281.

532 | (7) "Basic life support" means the assessment or treatment
 533 | by a person certified ~~qualified~~ under this part to perform
 534 | ~~through the use of~~ techniques described in the United States
 535 | Department of Transportation's EMT-Basic National Standard
 536 | ~~Curriculum or the National EMS Education Standards of the United~~
 537 | ~~States Department of Transportation~~ and approved by the
 538 | department rule. The term includes the administration of oxygen
 539 | and other techniques that have been approved and are performed
 540 | under conditions specified by rules of the department.

541 | (8) "Basic life support service" means any emergency
 542 | medical services provider that offers or provides ~~service which~~
 543 | ~~uses~~ only basic life support ~~techniques~~.

544 | (9) "Certification" means any authorization issued under
 545 | ~~pursuant to~~ this part to a person to provide basic life support
 546 | ~~act~~ as an emergency medical technician or to provide basic and
 547 | advanced life support as a paramedic.

548 | (10) "Department" means the Department of Health.

549 | (11) "Emergency medical technician" means a person ~~who is~~
 550 | certified by the department under this part to provide ~~perform~~

551 basic life support under medical direction in any of the
552 following settings: ~~pursuant to this part~~

553 (a) Local communities.

554 (b) Hospitals as defined in s. 395.002.

555 (c) Urgent care centers as defined in s. 395.002.

556 (d) Any other location specified by department rule.

557 (12) "Interfacility transfer" means the transportation by
558 ambulance of a patient between two facilities licensed under
559 chapter 393, chapter 395, chapter 400, or chapter 429 or other
560 facilities as specified by department rule, ~~pursuant to this~~
561 ~~part.~~

562 (13) "Licensee" means any basic life support service,
563 advanced life support service, or air ambulance service licensed
564 under ~~pursuant to~~ this part.

565 (14) "Medical direction" means oral instruction ~~direct~~
566 ~~supervision~~ by a physician in person or through two-way voice
567 communication or, when such voice communication is unavailable,
568 through ~~established~~ standing orders, pursuant to rules of the
569 department.

570 (15) "Medical director" means a physician who is employed
571 or contracted by a licensee and who provides medical direction
572 ~~supervision~~, including ~~appropriate~~ quality assurance but not
573 including administrative and managerial functions, for daily
574 operations and training under ~~pursuant to~~ this part.

575 (16) "Mutual aid agreement" means a written agreement

576 between two or more entities whereby the signing parties agree
 577 to lend aid to one another under conditions specified in the
 578 agreement and as authorized ~~sanctioned~~ by the governing body of
 579 each affected county.

580 (17) "Paramedic" means a person ~~who is~~ certified by the
 581 department under this part to provide ~~perform~~ basic and advanced
 582 life support under medical direction in any of the following
 583 settings:

584 (a) Local communities.

585 (b) Hospitals as defined in s. 395.002.

586 (c) Urgent care centers as defined in s. 395.002.

587 (d) Any other location specified by department rule
 588 ~~pursuant to this part.~~

589 (18) "Permit" means any authorization issued under
 590 ~~pursuant to~~ this part for a vehicle to be operated as a basic
 591 life support or advanced life support transport vehicle or an
 592 advanced life support nontransport vehicle providing basic or
 593 advanced life support.

594 (19) "Physician" means a person ~~practitioner who is~~
 595 licensed to practice medicine ~~under the provisions of~~ chapter
 596 458 or osteopathic medicine under chapter 459. For the purpose
 597 of providing "medical direction" as defined in subsection (14)
 598 for the treatment of patients immediately before ~~prior to~~ or
 599 during transportation to a United States Department of Veterans
 600 Affairs medical facility, "physician" also means a person

601 appointed to a physician position ~~practitioner employed by the~~
602 Secretary of the United States Department of Veterans Affairs.

603 (20) "Registered nurse" means a person ~~practitioner who is~~
604 licensed to practice professional nursing under ~~pursuant to~~ part
605 I of chapter 464.

606 (21) "Service location" means any permanent location in or
607 from which a licensee solicits, accepts, or conducts business
608 under this part.

609 (22) "Volunteer ambulance service" means a faith-based,
610 not-for-profit charitable corporation registered under chapter
611 617 which is licensed under this part as a basic life support
612 service or an advanced life support service; which is not a
613 parent, subsidiary, or affiliate of, or related to, any for-
614 profit entity; and which uses only unpaid volunteers to provide
615 basic life support services or advanced life support services
616 free of charge, is not operating for pecuniary profit or
617 financial gain, and does not distribute to or inure to the
618 benefit of its directors, volunteers, members, or officers any
619 part of its assets or income.

620 Section 5. Paragraph (d) of subsection (2) of section
621 401.25, Florida Statutes, is amended to read:

622 401.25 Licensure as a basic life support or an advanced
623 life support service.—

624 (2) The department shall issue a license for operation to
625 any applicant who complies with the following requirements:

626 (d) The applicant has obtained a certificate of public
 627 convenience and necessity from each county in which the
 628 applicant will operate. In issuing the certificate of public
 629 convenience and necessity, the governing body of each county
 630 shall consider the recommendations of municipalities within its
 631 jurisdiction. An applicant that is an active emergency medical
 632 ~~first~~ responder agency is exempt from this requirement if it:

633 1. Is a faith-based, not-for-profit charitable corporation
 634 registered under chapter 617 which has been responding to
 635 medical emergencies in this state for at least 10 consecutive
 636 years.

637 2. Is not a parent, subsidiary, or affiliate of, or
 638 related to, any for-profit entity.

639 3. Provides basic life support services or advanced life
 640 support services solely through at least 50 unpaid licensed
 641 emergency medical technician or paramedic volunteers.

642 4. Is not operating for pecuniary profit or financial
 643 gain.

644 5. Does not distribute to or inure to the benefit of its
 645 directors, members, or officers any part of its assets or
 646 income.

647 6. Does not receive any government funding. However, the
 648 volunteer ambulance service may receive funding from specialty
 649 license plate proceeds.

650 7. Has never had a license denied, revoked, or suspended.

651 8. Provides services free of charge.

652 9. As part of its application for licensure, provides to
 653 the department a management plan that includes a training
 654 program, dispatch protocols, a complaint management system, an
 655 accident or injury handling system, a quality assurance program,
 656 and proof of adequate insurance coverage to meet state or county
 657 insurance requirements, whichever requirements are greater.

658 10. Provides a disclaimer on all written materials that
 659 the volunteer ambulance service is not associated with the
 660 state's 911 system.

661
 662 The exemption under this paragraph may be granted to no more
 663 than four counties. This exemption notwithstanding, an applicant
 664 is not exempted from and must comply with all other requirements
 665 for licensure. An applicant must also take all reasonable
 666 efforts to enter into a memorandum of understanding with the
 667 emergency medical services licensee within whose jurisdiction
 668 the applicant will provide services in order to facilitate
 669 communications and coordinate emergency services for situations
 670 beyond the scope of the applicant's capacity and for situations
 671 of advanced life support that are deemed priority 1 or priority
 672 2 emergencies.

673 Section 6. Subsections (3), (4), and (5) of section
 674 401.27, Florida Statutes, are amended to read:

675 401.27 Personnel; standards and certification.—

676 (3) Any person who desires to be certified or recertified
 677 as an emergency medical technician or paramedic must apply to
 678 the department ~~under oath~~ on forms provided by the department
 679 which shall contain such information as the department
 680 reasonably requires, which may include affirmative evidence of
 681 ability to comply with applicable laws and rules. The department
 682 shall determine whether the applicant meets the requirements
 683 specified in this section and in rules of the department and
 684 shall issue a certificate to any person who meets such
 685 requirements.

686 (4) An applicant for certification or recertification as
 687 an emergency medical technician or paramedic must:

688 (a) Have completed an appropriate training program as
 689 follows:

690 1. For an emergency medical technician, an emergency
 691 medical technician training program approved by the department
 692 as equivalent to the most recent ~~EMT-Basic National Standard~~
 693 ~~Curriculum or the~~ National EMS Education Standards of the United
 694 States Department of Transportation;

695 2. For a paramedic, a paramedic training program approved
 696 by the department as equivalent to the most recent ~~EMT-Paramedic~~
 697 ~~National Standard Curriculum or the~~ National EMS Education
 698 Standards of the United States Department of Transportation;

699 (b) Confirm ~~Certify under oath~~ that he or she is not
 700 addicted to alcohol or any controlled substance;

701 (c) Confirm ~~Certify under oath~~ that he or she is free from
702 any physical or mental defect or disease that might impair the
703 applicant's ability to perform his or her duties;

704 (d) Within 2 years after program completion have passed an
705 examination developed or required by the department;

706 (e)1. For an emergency medical technician, hold a current
707 American Heart Association cardiopulmonary resuscitation course
708 card or an American Red Cross cardiopulmonary resuscitation
709 course card or its equivalent as defined by department rule;

710 2. For a paramedic, hold a certificate of successful
711 course completion in advanced cardiac life support from the
712 American Heart Association or its equivalent as defined by
713 department rule;

714 (f) Submit to the department the application ~~the~~
715 ~~certification fee and the nonrefundable examination fee~~
716 ~~prescribed in s. 401.34, and submit to the examination provider~~
717 the nonrefundable ~~which~~ examination fee ~~will be~~ required for
718 each examination administered to an applicant; and

719 (g) Submit a completed application to the department,
720 which application documents compliance with paragraphs (a), (b),
721 (c), (e), (f), and this paragraph, and, if applicable, paragraph
722 (d). ~~The application must be submitted so as to be received by~~
723 ~~the department at least 30 calendar days before the next~~
724 ~~regularly scheduled examination for which the applicant desires~~
725 ~~to be scheduled.~~

726 ~~(5) The certification examination must be offered monthly.~~
 727 ~~The department shall issue an examination admission notice to~~
 728 ~~the applicant advising him or her of the time and place of the~~
 729 ~~examination for which he or she is scheduled. Individuals~~
 730 ~~achieving a passing score on the certification examination may~~
 731 ~~be issued a temporary certificate with their examination grade~~
 732 ~~report. The department must issue an original certification~~
 733 ~~within 45 days after the examination. Examination questions and~~
 734 ~~answers are not subject to discovery but may be introduced into~~
 735 ~~evidence and considered only in camera in any administrative~~
 736 ~~proceeding under chapter 120. If an administrative hearing is~~
 737 ~~held, the department shall provide challenged examination~~
 738 ~~questions and answers to the administrative law judge. The~~
 739 ~~department shall establish by rule the procedure by which an~~
 740 ~~applicant, and the applicant's attorney, may review examination~~
 741 ~~questions and answers in accordance with s. 119.071(1)(a).~~

742 Section 7. Section 401.2701, Florida Statutes, is amended
 743 to read:

744 401.2701 Emergency medical services training programs.—

745 (1) Any private or public institution in Florida desiring
 746 to conduct an approved program for the education of emergency
 747 medical technicians and paramedics must ~~shall~~:

748 (a) Submit a completed application on a form adopted
 749 ~~provided~~ by the department rule, which must include:

750 1. Evidence that the institution is in compliance with all

751 applicable requirements of the Department of Education.

752 2. Evidence of an affiliation agreement with a hospital
753 that has an emergency department staffed by at least one
754 physician and one registered nurse.

755 3. Evidence of an affiliation agreement with a current
756 emergency medical services provider that is licensed in this
757 state. Such agreement shall include, at a minimum, a commitment
758 by the provider to conduct the field experience portion of the
759 education program. Evidence of an affiliation agreement is not
760 required if the applicant is licensed by the department as an
761 advanced life support service.

762 4. Documentation verifying faculty, including:

763 a. A medical director who is a licensed physician meeting
764 the applicable requirements for emergency medical services
765 medical directors as outlined in this chapter and rules of the
766 department. The medical director shall have the duty and
767 responsibility of certifying that graduates have successfully
768 completed all phases of the education program and are proficient
769 in basic or advanced life support techniques, as applicable.

770 b. A program director responsible for the operation,
771 organization, periodic review, administration, development, and
772 approval of the program.

773 5. Documentation verifying that the curriculum:

774 a. Meets the most recent ~~Emergency Medical Technician-~~
775 ~~Basic National Standard Curriculum or the~~ National EMS Education

776 Standards approved by the department ~~for emergency medical~~
777 ~~technician programs and Emergency Medical Technician-Paramedic~~
778 ~~National Standard Curriculum or the National EMS Education~~
779 ~~Standards approved by the department for paramedic programs.~~

780 b. Includes 2 hours of instruction on the trauma scorecard
781 methodologies for assessment of adult trauma patients and
782 pediatric trauma patients as specified by the department by
783 rule.

784 6. Evidence of sufficient medical and educational
785 equipment to meet emergency medical services training program
786 needs.

787 (b) Receive a scheduled in-person or department-approved
788 remote audio-visual site visit from the department to the
789 applicant's institution. ~~Such site visit shall be conducted~~
790 within 30 days after the department's notification to the
791 institution that the application was accepted for onsite review.
792 During the site visit, the department must determine the
793 applicant's compliance with the following criteria:

794 1. Emergency medical technician programs must be a minimum
795 of 300 ~~110~~ hours, with at least 20 hours of supervised clinical
796 supervision, including 10 hours in a hospital emergency
797 department.

798 2. Paramedic programs must be available only to Florida-
799 certified emergency medical technicians or ~~an~~ emergency medical
800 technicians, active duty and reserve military-trained emergency

801 medical technicians, and emergency medical technician applicants
802 ~~applicant~~ who will obtain Florida certification before ~~prior to~~
803 completion of phase one of the paramedic program. Paramedic
804 programs must be a minimum of 1,100 ~~700~~ hours of didactic and
805 skills practice components, with the skills laboratory student-
806 to-instructor ratio not exceeding six to one. Paramedic programs
807 must provide a field internship experience aboard an advanced
808 life support permitted ambulance. However, a portion of the
809 field internship experience may be satisfied aboard an advanced
810 life support permitted vehicle other than an ambulance or by
811 supervised, remote live videoconferencing together with
812 simulated direct patient contact in a simulated advanced life
813 support ambulance as provided ~~determined by rule of the~~
814 department rule.

815 (2) A program may request department approval to
816 substitute simulation and remote, live videoconferencing for
817 supervised in-person clinical instruction and direct patient-
818 contact skills laboratory requirements. Requests must be made in
819 writing and include the following:

820 (a) The written approval of the training program medical
821 director.

822 (b) Documentation that all hospitals or emergency medical
823 services providers with whom the program has an existing
824 affiliation agreement have suspended in-person access for
825 purposes of supervised clinical instruction and direct patient-

826 contact field internships.

827 (c) The time period during which in-person access has been
828 suspended.

829 (d) Documentation of the design, development, and
830 implementation of simulation and videoconferencing training.

831 (e) Documentation of the inclusion of simulation and
832 videoconferencing within the curriculum, the efficacy of
833 simulation and videoconferencing, and student evaluations of
834 simulation, debriefing, and videoconferencing.

835 (3) After completion of the site visit, the department
836 shall prepare a report that must ~~which shall~~ be provided to the
837 institution. Upon completion of the report, an ~~the~~ application
838 from a program that meets the criteria in paragraph (1)(b) is
839 shall be deemed complete, ~~and the provisions of s. 120.60~~
840 applies. An application from a program that does not meet the
841 criteria in paragraph (1)(b) is deemed incomplete, and
842 subsection (5) applies ~~shall apply.~~

843 (4) ~~(3)~~ If the program is approved, the department must
844 issue the institution a 2-year certificate of approval as an
845 emergency medical technician training program or a paramedic
846 training program. The department shall renew the certificate of
847 approval upon receipt of a written statement from the program
848 attesting that the training program continues to meet the
849 requirements of the Department of Education and remains
850 accredited by a national organization recognized by the

851 department. The department shall perform a site visit for all
852 initial nonaccredited programs. The department may periodically
853 and randomly perform in-person and remote telecommunication
854 inspection site visits to ensure compliance with this part and
855 department rules.

856 (5) If an the application is deemed incomplete denied, the
857 department must notify the applicant of any errors, omissions,
858 and areas of strength, areas needing improvement, and any
859 suggested means of improving improvement of the program. The
860 applicant must respond within 5 days after receiving the
861 department's notice either with a notice of intent to provide a
862 plan of correction or a request for the department to proceed
863 with a final determination on the application without a plan of
864 correction. A denial notification shall be provided to the
865 applicant so as to allow the applicant 5 days prior to the
866 expiration of the application processing time in s. 120.60 to
867 advise the department in writing of its intent to submit a plan
868 of correction. Such intent notification shall provide the time
869 for application processing in s. 120.60. The plan of correction
870 must be received by submitted to the department within 30 days
871 after the date of the applicant's notice of intent and must
872 specify the date by which the applicant intends to complete the
873 application of the notice. The department shall notify advise
874 the applicant of its approval or denial of the plan of
875 correction within 30 days after of receipt. The denial of the

876 | plan of correction or denial of the application may be reviewed
 877 | as provided in chapter 120.

878 | (6)~~(4)~~ Approved emergency medical services training
 879 | programs must maintain records and reports that must be made
 880 | available to the department, upon written request. Such records
 881 | must include student applications, records of attendance,
 882 | records of participation in hospital clinic and field training,
 883 | medical records, course objectives and outlines, class
 884 | schedules, learning objectives, lesson plans, number of
 885 | applicants, number of students accepted, admission requirements,
 886 | description of qualifications, duties and responsibilities of
 887 | faculty, and correspondence.

888 | (7)~~(5)~~ Each approved program must notify the department
 889 | within 30 days after any change in the professional or
 890 | employment status of faculty. Each approved program must require
 891 | its students to pass a comprehensive final written and practical
 892 | examination evaluating the skills described in the current
 893 | United States Department of Transportation EMT-Basic or EMT-
 894 | Paramedic National Standard Curriculum or the National EMS
 895 | Education Standards and approved by the department. Each
 896 | approved program must issue a certificate of completion to
 897 | program graduates within 14 days after completion.

898 | Section 8. Section 401.272, Florida Statutes, is amended
 899 | to read:

900 | 401.272 Emergency medical services community health care.—

901 (1) The purpose of this section is to encourage more
 902 effective use ~~utilization~~ of the skills of emergency medical
 903 technicians and paramedics by enabling them to perform, in
 904 partnership with local county health departments, specific
 905 additional health care tasks that are consistent with the public
 906 health and welfare.

907 (2) Notwithstanding any other ~~provision of~~ law to the
 908 contrary:

909 (a) Paramedics or emergency medical technicians may
 910 perform health promotion and wellness activities ~~and blood~~
 911 ~~pressure screenings~~ in a nonemergency environment, within the
 912 scope of their training, and under medical direction ~~the~~
 913 ~~direction of a medical director~~. As used in this paragraph, the
 914 term "health promotion and wellness" means the provision of
 915 public health programs pertaining to the prevention of illness
 916 and injury.

917 (b) Paramedics may administer immunizations and other
 918 public health countermeasures in a nonemergency environment,
 919 within the scope of their training, and under medical ~~the~~
 920 ~~direction of a medical director~~. There must be a written
 921 agreement between the paramedic's medical director and the
 922 department or the county health department located in each
 923 county in which the paramedic administers immunizations or other
 924 public health countermeasures. This agreement must establish the
 925 protocols, policies, and procedures under which the paramedic

926 must operate.

927 (3) Each medical director under whose direction a
 928 paramedic administers immunizations or other public health
 929 countermeasures must verify and document that the paramedic has
 930 received sufficient training and experience to administer the
 931 immunizations or other public health countermeasures, as
 932 applicable. The verification must be documented on forms
 933 developed by the department, and the completed forms must be
 934 maintained at the service location of the licensee and made
 935 available to the department upon request.

936 (4) The department may adopt and enforce all rules
 937 necessary to enforce the provisions relating to a paramedic's
 938 administration of immunizations and other public health
 939 countermeasures and the performance of health promotion and
 940 wellness activities ~~and blood pressure screenings~~ by a paramedic
 941 or emergency medical technician in a nonemergency environment.

942 Section 9. Subsections (1), (2), and (4) of section
 943 401.30, Florida Statutes, are amended to read:

944 401.30 Records.—

945 (1) Each licensee must maintain accurate records of
 946 emergency calls on written or electronic forms that contain such
 947 information as is required by the department. The written or
 948 electronic ~~These~~ records must be available for inspection by the
 949 department at any reasonable time, and paper or electronic
 950 copies thereof must be furnished to the department upon request.

951 The department shall prescribe by rule the ~~give each licensee~~
952 ~~notice of what~~ information such forms must contain.

953 (2) Each licensee must provide the receiving facility
954 ~~hospital~~ with a copy of an individual patient care record for
955 each patient ~~who is~~ transported to the receiving facility
956 ~~hospital~~. The information contained in the patient care record
957 and the method and timeframe for providing the record shall be
958 prescribed by department rule ~~of the department~~.

959 (4) Records of emergency calls which contain patient
960 examination or treatment information are confidential and exempt
961 from the provisions of s. 119.07(1) and may not be disclosed
962 without the consent of the person to whom they pertain, but
963 appropriate limited disclosure may be made without such consent:

964 (a) To the person's guardian as defined in s. 744.102, to
965 the person's designated surrogate as defined in s. 765.101, to
966 the person's personal representative or trustee as those terms
967 are defined in s. 731.201 ~~to the next of kin~~ if the person is
968 deceased, or to a minor's principal as defined in s. 765.101
969 ~~parent if the person is a minor;~~

970 (b) To facility ~~hospital~~ personnel for use in conjunction
971 with the treatment of the patient;

972 (c) To the department;

973 (d) To the emergency medical services provider ~~service~~
974 medical director;

975 (e) For use in a critical incident stress debriefing. Any

976 such discussions during a critical incident stress debriefing
 977 shall be considered privileged communication under s. 90.503;
 978 (f) In any civil or criminal action, unless otherwise
 979 prohibited by law, upon the issuance of a subpoena from a court
 980 of competent jurisdiction and proper notice by the party seeking
 981 such records, to the patient or his or her legal representative;
 982 or

983 (g) To a local trauma agency or a regional trauma agency,
 984 or a panel or committee assembled by such an agency to assist
 985 the agency in performing quality assurance activities in
 986 accordance with a plan approved under s. 395.401. Records
 987 obtained under this paragraph are confidential and exempt from
 988 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
 989

990 Notwithstanding any other law to the contrary, the release of
 991 patient care records or data from patient care records must be
 992 in accordance with s. 401.425 and chapter 405. This subsection
 993 does not prohibit the department or a licensee from providing
 994 information to any law enforcement agency or any other
 995 regulatory agency responsible for the regulation or supervision
 996 of emergency medical services and personnel.

997 Section 10. Subsections (4) through (7) of section 401.34,
 998 Florida Statutes, are amended to read:

999 401.34 Fees.—

1000 (4) (a) If a certificate, license, or permit issued under

1001 this part is lost or destroyed, the person or entity to whom the
 1002 certificate, license, or permit was issued may, upon payment of
 1003 a fee to be set by the department not to exceed \$10, obtain a
 1004 ~~duplicate, or substitute thereof.~~

1005 (b) Upon surrender of the original emergency medical
 1006 technician or paramedic certificate and receipt of a replacement
 1007 fee to be set by the department not to exceed \$10, the
 1008 department shall issue a replacement certificate to make a
 1009 change in name.

1010 ~~(5) The department may provide same-day grading of the~~
 1011 ~~examination for an applicant for emergency medical technician or~~
 1012 ~~paramedic certification.~~

1013 ~~(6) The department may offer walk-in eligibility~~
 1014 ~~determination and examination to applicants for emergency~~
 1015 ~~medical technician or paramedic certification who pay to the~~
 1016 ~~department a nonrefundable fee to be set by the department not~~
 1017 ~~to exceed \$65. The fee is in addition to the certification fee~~
 1018 ~~and examination fee. The department must establish locations and~~
 1019 ~~times for eligibility determination and examination.~~

1020 ~~(7) The cost of emergency medical technician or paramedic~~
 1021 ~~certification examination review may not exceed \$50.~~

1022 Section 11. Subsection (5) of section 401.425, Florida
 1023 Statutes, is amended, and subsection (8) is added to that
 1024 section, to read:

1025 401.425 Emergency medical services quality assurance;

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1026 immunity from liability.-

1027 (5) The records or reports obtained or produced by a
1028 committee providing quality assurance or quality improvement
1029 activities as described in subsections (1)-(4) are exempt from
1030 ~~the provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State
1031 Constitution, and committee proceedings and meetings regarding
1032 quality assurance or quality improvement activities are exempt
1033 from ~~the provisions of~~ s. 286.011 and s. 24(b), Art. I of the
1034 State Constitution. The investigations, proceedings, and records
1035 of a committee providing quality assurance activities as
1036 described in subsections (1)-(4) are ~~shall~~ not be subject to
1037 discovery or introduction into evidence in any civil action or
1038 disciplinary proceeding by the department or employing agency
1039 arising out of matters that ~~which~~ are the subject of evaluation
1040 and review by the committee, and a ~~no~~ person who was in
1041 attendance at a meeting of such committee may not ~~shall~~ be
1042 permitted or required to testify in any such civil action or
1043 disciplinary proceeding as to any evidence or other matters
1044 produced or presented during the proceedings of such committee
1045 or as to any findings, recommendations, evaluations, opinions,
1046 or other actions of such committee or any members thereof.
1047 However, information, documents, or records provided to the
1048 committee from sources external to the committee are not immune
1049 from discovery or use in any such civil action or disciplinary
1050 proceeding merely because they were presented during proceedings

1051 of such committee, nor may ~~should~~ any person who testifies
 1052 before a committee or who is a member of such committee be
 1053 prevented from testifying as to matters within the person's
 1054 knowledge, but, such witness may ~~shall~~ not be asked about his or
 1055 her testimony before a committee or information obtained from or
 1056 opinions formed by him or her as a result of participating in
 1057 activities conducted by a committee.

1058 (8) An emergency medical review committee may review the
 1059 performance of an emergency medical technician, a paramedic, or
 1060 an emergency medical services provider and make recommendations
 1061 for performance improvement.

1062 Section 12. Section 401.435, Florida Statutes, is amended
 1063 to read:

1064 401.435 Emergency medical ~~First~~ responder agencies and
 1065 training.—

1066 (1) The department must adopt by rule the United States
 1067 Department of Transportation National EMS Education Standards
 1068 for the Emergency Medical Responder level ~~Services: First~~
 1069 ~~Responder Training Course~~ as the minimum standard for emergency
 1070 medical ~~first~~ responder training. In addition, the department
 1071 must adopt rules establishing minimum emergency medical ~~first~~
 1072 responder instructor qualifications. For purposes of this
 1073 section, an emergency medical ~~a first~~ responder includes any
 1074 individual who receives training to render initial care to an
 1075 ill or injured person, other than an individual trained and

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1076 certified pursuant to s. 943.1395(1), but who does not have the
1077 primary responsibility of treating and transporting ill or
1078 injured persons.

1079 (2) Each emergency medical ~~first~~ responder agency must
1080 take all reasonable efforts to enter into a memorandum of
1081 understanding with the emergency medical services licensee
1082 within whose territory the agency operates in order to
1083 coordinate emergency services at an emergency scene. The
1084 department must provide a model memorandum of understanding for
1085 this purpose. The memorandum of understanding must ~~should~~
1086 include dispatch protocols, the roles and responsibilities of
1087 emergency medical ~~first~~ responder personnel at an emergency
1088 scene, and the documentation required for patient care rendered.
1089 For purposes of this section, the term "emergency medical ~~first~~
1090 responder agency" includes a law enforcement agency, a fire
1091 service agency not licensed under this part, a lifeguard agency,
1092 and a volunteer organization that renders, as part of its
1093 routine functions, on-scene patient care before emergency
1094 medical technicians or paramedics arrive.

1095 Section 13. Subsection (1) of section 460.406, Florida
1096 Statutes, is amended to read:

1097 460.406 Licensure by examination.—

1098 (1) Any person desiring to be licensed as a chiropractic
1099 physician must apply to the department to take the licensure
1100 examination. There shall be an application fee set by the board

1101 not to exceed \$100 which shall be nonrefundable. There shall
 1102 also be an examination fee not to exceed \$500 plus the actual
 1103 per applicant cost to the department for purchase of portions of
 1104 the examination from the National Board of Chiropractic
 1105 Examiners or a similar national organization, which may be
 1106 refundable if the applicant is found ineligible to take the
 1107 examination. The department shall examine each applicant whom
 1108 ~~who~~ the board certifies has met all of the following criteria:

1109 (a) Completed the application form and remitted the
 1110 appropriate fee.

1111 (b) Submitted proof satisfactory to the department that he
 1112 or she is not less than 18 years of age.

1113 (c) Submitted proof satisfactory to the department that he
 1114 or she is a graduate of a chiropractic college which is
 1115 accredited by or has status with the Council on Chiropractic
 1116 Education or its predecessor agency. However, any applicant who
 1117 is a graduate of a chiropractic college that was initially
 1118 accredited by the Council on Chiropractic Education in 1995, who
 1119 graduated from such college within the 4 years immediately
 1120 preceding such accreditation, and who is otherwise qualified is
 1121 ~~shall be~~ eligible to take the examination. An ~~No~~ application for
 1122 a license to practice chiropractic medicine may not ~~shall~~ be
 1123 denied solely because the applicant is a graduate of a
 1124 chiropractic college that subscribes to one philosophy of
 1125 chiropractic medicine as distinguished from another.

1126 (d)1. For an applicant who has matriculated in a
1127 chiropractic college before ~~prior to~~ July 2, 1990, completed at
1128 least 2 years of residence college work, consisting of a minimum
1129 of one-half the work acceptable for a bachelor's degree granted
1130 on the basis of a 4-year period of study, in a college or
1131 university accredited by an institutional accrediting agency
1132 recognized and approved by the United States Department of
1133 Education. However, before ~~prior to~~ being certified by the board
1134 to sit for the examination, each applicant who has matriculated
1135 in a chiropractic college after July 1, 1990, must ~~shall~~ have
1136 been granted a bachelor's degree, based upon 4 academic years of
1137 study, by a college or university accredited by an institutional
1138 ~~a regional~~ accrediting agency that ~~which~~ is a member of the
1139 Commission on Recognition of Postsecondary Accreditation.

1140 2. Effective July 1, 2000, completed, before ~~prior to~~
1141 matriculation in a chiropractic college, at least 3 years of
1142 residence college work, consisting of a minimum of 90 semester
1143 hours leading to a bachelor's degree in a liberal arts college
1144 or university accredited by an institutional accrediting agency
1145 recognized and approved by the United States Department of
1146 Education. However, before ~~prior to~~ being certified by the board
1147 to sit for the examination, each applicant who has matriculated
1148 in a chiropractic college after July 1, 2000, must ~~shall~~ have
1149 been granted a bachelor's degree from an institution holding
1150 accreditation for that degree from an institutional ~~a regional~~

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1151 accrediting agency that ~~which~~ is recognized by the United States
1152 Department of Education. The applicant's chiropractic degree
1153 must consist of credits earned in the chiropractic program and
1154 may not include academic credit for courses from the bachelor's
1155 degree.

1156 (e) Successfully completed the National Board of
1157 Chiropractic Examiners certification examination in parts I, II,
1158 III, and IV, and the physiotherapy examination of the National
1159 Board of Chiropractic Examiners, with a score approved by the
1160 board.

1161 (f) Submitted to the department a set of fingerprints on a
1162 form and under procedures specified by the department, along
1163 with payment in an amount equal to the costs incurred by the
1164 Department of Health for the criminal background check of the
1165 applicant.

1166
1167 The board may require an applicant who graduated from an
1168 institution accredited by the Council on Chiropractic Education
1169 more than 10 years before the date of application to the board
1170 to take the National Board of Chiropractic Examiners Special
1171 Purposes Examination for Chiropractic, or its equivalent, as
1172 determined by the board. The board shall establish by rule a
1173 passing score.

1174 Section 14. Subsection (4) of section 464.008, Florida
1175 Statutes, is amended to read:

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1176 464.008 Licensure by examination.—

1177 ~~(4) If an applicant who graduates from an approved program~~
1178 ~~does not take the licensure examination within 6 months after~~
1179 ~~graduation, he or she must enroll in and successfully complete a~~
1180 ~~board-approved licensure examination preparatory course. The~~
1181 ~~applicant is responsible for all costs associated with the~~
1182 ~~course and may not use state or federal financial aid for such~~
1183 ~~costs. The board shall by rule establish guidelines for~~
1184 ~~licensure examination preparatory courses.~~

1185 Section 15. Paragraph (e) of subsection (1) of section
1186 464.018, Florida Statutes, is amended to read:

1187 464.018 Disciplinary actions.—

1188 (1) The following acts constitute grounds for denial of a
1189 license or disciplinary action, as specified in ss. 456.072(2)
1190 and 464.0095:

1191 (e) Having been found guilty of, ~~regardless of~~
1192 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,
1193 regardless of adjudication, any offense prohibited under s.
1194 435.04 or similar statute of another jurisdiction; or having
1195 committed an act which constitutes domestic violence as defined
1196 in s. 741.28.

1197 Section 16. Present subsections (13) and (14) of section
1198 467.003, Florida Statutes, are redesignated as subsections (14)
1199 and (15), respectively, a new subsection (13) is added to that
1200 section, and subsections (1) and (12) of that section are

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1201 amended, to read:

1202 467.003 Definitions.—As used in this chapter, unless the
1203 context otherwise requires:

1204 (1) "Approved midwifery program" means ~~a midwifery school~~
1205 ~~or~~ a midwifery training program ~~which is~~ approved by the
1206 department pursuant to s. 467.205.

1207 (12) "Preceptor" means a physician licensed under chapter
1208 458 or chapter 459, a ~~licensed~~ midwife licensed under this
1209 chapter, or a certified nurse midwife licensed under chapter
1210 464, who has a minimum of 3 years' professional experience, and
1211 who directs, teaches, supervises, and evaluates the learning
1212 experiences of a the student midwife as part of an approved
1213 midwifery program.

1214 (13) "Prelicensure course" means a course of study,
1215 offered by an approved midwifery program and approved by the
1216 department, which an applicant for licensure must complete
1217 before a license may be issued and which provides instruction in
1218 the laws and rules of this state and demonstrates the student's
1219 competency to practice midwifery under this chapter.

1220 Section 17. Section 467.009, Florida Statutes, is amended
1221 to read:

1222 467.009 Approved midwifery programs; education and
1223 training requirements.—

1224 (1) The department shall adopt standards for approved
1225 midwifery programs which must include, but need not be limited

1226 | to, standards for all of the following:

1227 | (a) ~~The standards shall encompass~~ Clinical and classroom
 1228 | instruction in all aspects of prenatal, intrapartal, and
 1229 | postpartal care, including all of the following:

- 1230 | 1. Obstetrics.~~†~~
- 1231 | 2. Neonatal pediatrics.~~†~~
- 1232 | 3. Basic sciences.~~†~~
- 1233 | 4. Female reproductive anatomy and physiology.~~†~~
- 1234 | 5. Behavioral sciences.~~†~~
- 1235 | 6. Childbirth education.~~†~~
- 1236 | 7. Community care.~~†~~
- 1237 | 8. Epidemiology.~~†~~
- 1238 | 9. Genetics.~~†~~
- 1239 | 10. Embryology.~~†~~
- 1240 | 11. Neonatology.~~†~~
- 1241 | 12. Applied pharmacology.~~†~~
- 1242 | 13. The medical and legal aspects of midwifery.~~†~~
- 1243 | 14. Gynecology and women's health.~~†~~
- 1244 | 15. Family planning.~~†~~
- 1245 | 16. Nutrition during pregnancy and lactation.~~†~~
- 1246 | 17. Breastfeeding.~~†~~ and
- 1247 | 18. Basic nursing skills; ~~and any other instruction~~
 1248 | ~~determined by the department and council to be necessary.~~

1249 | (b) ~~The standards shall incorporate the Core competencies,~~
 1250 | incorporating those established by the American College of Nurse

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1251 Midwives and the Midwives Alliance of North America, including
1252 knowledge, skills, and professional behavior in all of the
1253 following areas:

1254 1. Primary management, collaborative management, referral,
1255 and medical consultation.~~†~~

1256 2. Antepartal, intrapartal, postpartal, and neonatal
1257 care.~~†~~

1258 3. Family planning and gynecological care.~~†~~

1259 4. Common complications.~~†~~ and

1260 5. Professional responsibilities.

1261 (c) Noncurricular ~~The standards shall include~~
1262 ~~noncurriculum~~ matters under this section, including, but not
1263 limited to, staffing and teacher qualifications.

1264 (2) An approved midwifery program must offer ~~shall include~~
1265 a course of study ~~and clinical training~~ for a minimum of 3 years
1266 which incorporates all of the standards, curriculum guidelines,
1267 and educational objectives provided in this section and the
1268 rules adopted hereunder.

1269 (3) An approved midwifery program may reduce ~~If the~~
1270 ~~applicant is a registered nurse or a licensed practical nurse or~~
1271 ~~has previous nursing or midwifery education,~~ the required period
1272 of training ~~may be reduced~~ to the extent of the student's
1273 ~~applicant's~~ qualifications as a registered nurse or licensed
1274 practical nurse or based on prior completion of equivalent
1275 nursing or midwifery education, as determined ~~under rules~~

1276 ~~adopted by the department rule. In no case shall the training be~~
 1277 ~~reduced to a period of less than 2 years.~~

1278 (4)-(3) An approved midwifery program may accept students
 1279 ~~who To be accepted into an approved midwifery program, an~~
 1280 ~~applicant shall have both:~~

1281 (a) A high school diploma or its equivalent.

1282 (b) Taken three college-level credits each of math and
 1283 English or demonstrated competencies in communication and
 1284 computation.

1285 (5)-(4) As part of its course of study, an approved
 1286 midwifery program must require clinical training that includes
 1287 all of the following:

1288 (a) A student midwife, during training, shall undertake,
 1289 ~~under the supervision of a preceptor,~~ The care of 50 women in
 1290 each of the prenatal, intrapartal, and postpartal periods under
 1291 the supervision of a preceptor. ~~but~~ The same women need not be
 1292 seen through all three periods.

1293 (b)-(5) Observation of ~~The student midwife shall observe an~~
 1294 additional 25 women in the intrapartal period ~~before qualifying~~
 1295 ~~for a license.~~

1296 (6) Clinical ~~The~~ training required under this section must
 1297 include all of the following:

1298 (a) shall include Training in either hospitals or
 1299 alternative birth settings, or both.

1300 (b) A requirement that students demonstrate competency in

1301 ~~the assessment of and differentiation, with particular emphasis~~
 1302 ~~on learning the ability to differentiate~~ between low-risk
 1303 pregnancies and high-risk pregnancies.

1304 (7) A hospital or birthing center receiving public funds
 1305 shall be required to provide student midwives access to observe
 1306 labor, delivery, and postpartal procedures, provided the woman
 1307 in labor has given informed consent. The Department of Health
 1308 shall assist in facilitating access to hospital training for
 1309 approved midwifery programs.

1310 ~~(8)-(7)~~ The Department of Education shall adopt curricular
 1311 frameworks for midwifery programs offered by ~~conducted within~~
 1312 public educational institutions under ~~pursuant to~~ this section.

1313 ~~(8) Nonpublic educational institutions that conduct~~
 1314 ~~approved midwifery programs shall be accredited by a member of~~
 1315 ~~the Commission on Recognition of Postsecondary Accreditation and~~
 1316 ~~shall be licensed by the Commission for Independent Education.~~

1317 Section 18. Section 467.011, Florida Statutes, is amended
 1318 to read:

1319 467.011 Licensed midwives; qualifications; examination
 1320 ~~Licensure by examination.-~~

1321 ~~(1) The department shall administer an examination to test~~
 1322 ~~the proficiency of applicants in the core competencies required~~
 1323 ~~to practice midwifery as specified in s. 467.009.~~

1324 ~~(2) The department shall develop, publish, and make~~
 1325 ~~available to interested parties at a reasonable cost a~~

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1326 ~~bibliography and guide for the examination.~~

1327 ~~(3)~~ The department shall issue a license to practice
 1328 midwifery to an applicant who meets all of the following
 1329 criteria:

1330 (1) Demonstrates that he or she has graduated from one of
 1331 the following:

1332 (a) An approved midwifery program.

1333 (b) A medical or midwifery program offered in another
 1334 state, jurisdiction, territory, or country whose graduation
 1335 requirements were equivalent to or exceeded those required by s.
 1336 467.009 and the rules adopted thereunder at the time of
 1337 graduation.

1338 (2) Demonstrates that he or she has ~~and~~ successfully
 1339 completed a prelicensure course offered by an approved midwifery
 1340 program. Students graduating from an approved midwifery program
 1341 may meet this requirement by showing that the content
 1342 requirements for the prelicensure course were covered as part of
 1343 their course of study.

1344 (3) Submits an application for licensure on a form
 1345 approved by the department and pays the appropriate fee.

1346 (4) Demonstrates that he or she has received a passing
 1347 score on an ~~the~~ examination specified by the department, ~~upon~~
 1348 payment of the required licensure fee.

1349 Section 19. Section 467.0125, Florida Statutes, is amended
 1350 to read:

1351 467.0125 Licensed midwives; qualifications; licensure by
 1352 endorsement; temporary certificates.—

1353 (1) The department shall issue a license by endorsement to
 1354 practice midwifery to an applicant who, upon applying to the
 1355 department, demonstrates to the department that she or he meets
 1356 all of the following criteria:

1357 (a) ~~1. Holds a valid certificate or diploma from a foreign~~
 1358 ~~institution of medicine or midwifery or from a midwifery program~~
 1359 ~~offered in another state, bearing the seal of the institution or~~
 1360 ~~otherwise authenticated, which renders the individual eligible~~
 1361 ~~to practice midwifery in the country or state in which it was~~
 1362 ~~issued, provided the requirements therefor are deemed by the~~
 1363 ~~department to be substantially equivalent to, or to exceed,~~
 1364 ~~those established under this chapter and rules adopted under~~
 1365 ~~this chapter, and submits therewith a certified translation of~~
 1366 ~~the foreign certificate or diploma; or~~

1367 2. Holds an active, unencumbered ~~a valid certificate or~~
 1368 ~~license to practice midwifery in another state, jurisdiction, or~~
 1369 ~~territory issued by that state, provided the licensing~~
 1370 ~~requirements of that state, jurisdiction, or territory at the~~
 1371 ~~time the license was issued were therefor are deemed by the~~
 1372 ~~department to be substantially equivalent to, or exceeded to~~
 1373 ~~exceed,~~ those established under this chapter and the rules
 1374 adopted hereunder ~~under this chapter.~~

1375 (b) Has successfully completed a ~~4-month~~ prelicensure

1376 course conducted by an approved midwifery program ~~and has~~
 1377 ~~submitted documentation to the department of successful~~
 1378 ~~completion.~~

1379 (c) Submits an application for licensure on a form
 1380 approved by the department and pays the appropriate fee ~~Has~~
 1381 ~~successfully passed the licensed midwifery examination.~~

1382 (2) The department may issue a temporary certificate to
 1383 practice in areas of critical need to an applicant ~~any midwife~~
 1384 who is qualifying for a midwifery license ~~licensure by~~
 1385 ~~endorsement~~ under subsection (1) and who meets all of the
 1386 following criteria, ~~with the following restrictions:~~

1387 (a) Submits an application for a temporary certificate on
 1388 a form approved by the department and pays the appropriate fee,
 1389 which may not exceed \$50 and is in addition to the fee required
 1390 for licensure by endorsement under subsection (1).

1391 (b) Specifies on the application that he or she will ~~The~~
 1392 ~~Department of Health shall determine the areas of critical need,~~
 1393 ~~and the midwife so certified shall practice only in~~ one or more
 1394 of the following locations:

- 1395 1. A county health department.
- 1396 2. A correctional facility.
- 1397 3. A United States Department of Veterans Affairs clinic.
- 1398 4. A community health center funded by s. 329, s. 330, or
 1399 s. 340 of the Public Health Service Act.
- 1400 5. Any other agency or institution that is approved by the

1401 State Surgeon General and provides health care to meet the needs
 1402 of an underserved population in this state.

1403 (c) Will practice only those specific areas, under the
 1404 supervision auspices of a physician licensed under pursuant to
 1405 chapter 458 or chapter 459, a certified nurse midwife licensed
 1406 under pursuant to part I of chapter 464, or a midwife licensed
 1407 under this chapter, who has a minimum of 3 years' professional
 1408 experience.

1409 (3) The department may issue a temporary certificate under
 1410 this section with the following restrictions:

1411 (a) A requirement that a temporary certificateholder
 1412 practice only in areas of critical need. The State Surgeon
 1413 General shall determine the areas of critical need, which such
 1414 areas shall include, but are not be limited to, health
 1415 professional shortage areas designated by the United States
 1416 Department of Health and Human Services.

1417 (b) A requirement that if a temporary certificateholder's
 1418 practice area ceases to be an area of critical need, within 30
 1419 days after such change the certificateholder must either:

1420 1. Report a new practice area of critical need to the
 1421 department; or

1422 2. Voluntarily relinquish the temporary certificate.

1423 (4) The department shall review a temporary
 1424 certificateholder's practice at least annually to determine
 1425 whether the certificateholder is meeting the requirements of

1426 subsections (2) and (3) and the rules adopted thereunder. If the
1427 department determines that a certificateholder is not meeting
1428 these requirements, the department must revoke the temporary
1429 certificate.

1430 (5) A temporary certificate issued under this section is
1431 shall be valid only as long as an area for which it is issued
1432 remains an area of critical need, but no longer than 2 years,
1433 and is shall not be renewable.

1434 ~~(c) The department may administer an abbreviated oral~~
1435 ~~examination to determine the midwife's competency, but no~~
1436 ~~written regular examination shall be necessary.~~

1437 ~~(d) The department shall not issue a temporary certificate~~
1438 ~~to any midwife who is under investigation in another state for~~
1439 ~~an act which would constitute a violation of this chapter until~~
1440 ~~such time as the investigation is complete, at which time the~~
1441 ~~provisions of this section shall apply.~~

1442 ~~(e) The department shall review the practice under a~~
1443 ~~temporary certificate at least annually to ascertain that the~~
1444 ~~minimum requirements of the midwifery rules promulgated under~~
1445 ~~this chapter are being met. If it is determined that the minimum~~
1446 ~~requirements are not being met, the department shall immediately~~
1447 ~~revoke the temporary certificate.~~

1448 ~~(f) The fee for a temporary certificate shall not exceed~~
1449 ~~\$50 and shall be in addition to the fee required for licensure.~~

1450 Section 20. Section 467.205, Florida Statutes, is amended

1451 to read:

1452 467.205 Approval of midwifery programs.—

1453 (1) The department must approve an accredited or state-
 1454 licensed public or private institution seeking to provide
 1455 midwifery education and training as an approved midwifery
 1456 program in this state if the institution meets all of the
 1457 following criteria:

1458 (a) Submits an application for approval on a form approved
 1459 by the department.

1460 (b) Demonstrates to the department's satisfaction that the
 1461 proposed midwifery program complies with s. 467.009 and the
 1462 rules adopted thereunder.

1463 (c) For a private institution, demonstrates its
 1464 accreditation by a member of the Council for Higher Education
 1465 Accreditation or an accrediting agency approved by the United
 1466 States Department of Education and its licensing or provisional
 1467 licensing by the Commission for Independent Education ~~An~~
 1468 ~~organization desiring to conduct an approved program for the~~
 1469 ~~education of midwives shall apply to the department and submit~~
 1470 ~~such evidence as may be required to show that it complies with~~
 1471 ~~s. 467.009 and with the rules of the department. Any accredited~~
 1472 ~~or state-licensed institution of higher learning, public or~~
 1473 ~~private, may provide midwifery education and training.~~

1474 (2) ~~The department shall adopt rules regarding educational~~
 1475 ~~objectives, faculty qualifications, curriculum guidelines,~~

1476 ~~administrative procedures, and other training requirements as~~
 1477 ~~are necessary to ensure that approved programs graduate midwives~~
 1478 ~~competent to practice under this chapter.~~

1479 ~~(3) The department shall survey each organization applying~~
 1480 ~~for approval. If the department is satisfied that the program~~
 1481 ~~meets the requirements of s. 467.009 and rules adopted pursuant~~
 1482 ~~to that section, it shall approve the program.~~

1483 (2)~~(4)~~ The department shall, at least once every 3 years,
 1484 certify whether each approved midwifery program is currently
 1485 compliant, and has maintained compliance, ~~complies~~ with the
 1486 requirements of standards developed under s. 467.009 and the
 1487 rules adopted thereunder.

1488 (3)~~(5)~~ If the department finds that an approved midwifery
 1489 program is not in compliance with the requirements of s. 467.009
 1490 or the rules adopted thereunder, or has lost its accreditation
 1491 status, the department must provide its finding to the program
 1492 in writing and no longer meets the required standards, it may
 1493 place the program on probationary status for a specified period
 1494 of time, which may not exceed 3 years until such time as the
 1495 standards are restored.

1496 (4) If a program on probationary status does not come into
 1497 compliance with the requirements of s. 467.009 or the rules
 1498 adopted thereunder, or regain its accreditation status, as
 1499 applicable, within the period specified by the department fails
 1500 ~~to correct these conditions within a specified period of time,~~

1501 the department may rescind the program's approval.

1502 (5) A ~~Any~~ program that has ~~having~~ its approval rescinded
 1503 ~~has shall have~~ the right to reapply for approval.

1504 (6) The department may grant provisional approval of a new
 1505 program seeking accreditation status, for a period not to exceed
 1506 5 years, provided that all other requirements of this section
 1507 are met.

1508 (7) The department may rescind provisional approval of a
 1509 program that fails to meet the requirements of s. 467.009, this
 1510 section, or the rules adopted thereunder, in accordance with
 1511 procedures provided in subsections (3) and (4) ~~may be granted~~
 1512 ~~pending the licensure results of the first graduating class.~~

1513 Section 21. Subsections (2), (3), and (4) and paragraphs
 1514 (a) and (b) of subsection (5) of section 468.803, Florida
 1515 Statutes, are amended to read:

1516 468.803 License, registration, and examination
 1517 requirements.—

1518 (2) An applicant for registration, examination, or
 1519 licensure must apply to the department on a form prescribed by
 1520 the board for consideration of board approval. Each initial
 1521 applicant shall submit ~~a set of~~ fingerprints to the department
 1522 in accordance with ~~on a form and under~~ procedures specified by
 1523 the department, ~~along with payment in an amount equal to the~~
 1524 ~~costs incurred by the department~~ for state and national criminal
 1525 history checks of the applicant. ~~The department shall submit the~~

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1526 | ~~fingerprints provided by an applicant to the Department of Law~~
1527 | ~~Enforcement for a statewide criminal history check, and the~~
1528 | ~~Department of Law Enforcement shall forward the fingerprints to~~
1529 | ~~the Federal Bureau of Investigation for a national criminal~~
1530 | ~~history check of the applicant.~~ The board shall screen the
1531 | results to determine if an applicant meets licensure
1532 | requirements. The board shall consider for examination,
1533 | registration, or licensure each applicant whom ~~who~~ the board
1534 | verifies:

1535 | (a) Has submitted the completed application and completed
1536 | the fingerprinting requirements ~~fingerprint forms~~ and has paid
1537 | the applicable application fee, not to exceed \$500, ~~and the cost~~
1538 | ~~of the state and national criminal history checks.~~ The
1539 | application fee is ~~and cost of the criminal history checks shall~~
1540 | ~~be~~ nonrefundable;

1541 | (b) Is of good moral character;

1542 | (c) Is 18 years of age or older; and

1543 | (d) Has completed the appropriate educational preparation.

1544 | (3) A person seeking to attain the orthotics or
1545 | prosthetics experience required for licensure in this state must
1546 | be approved by the board and registered as a resident by the
1547 | department. Although a registration may be held in both
1548 | disciplines, for independent registrations the board may not
1549 | approve a second registration until at least 1 year after the
1550 | issuance of the first registration. Notwithstanding subsection

1551 (2), a person who has been approved by the board and registered
1552 by the department in one discipline may apply for registration
1553 in the second discipline without an additional state or national
1554 criminal history check during the period in which the first
1555 registration is valid. Each independent registration or dual
1556 registration is valid for 2 years after the date of issuance
1557 unless otherwise revoked by the department upon recommendation
1558 of the board. The board shall set a registration fee not to
1559 exceed \$500 to be paid by the applicant. A registration may be
1560 renewed once by the department upon recommendation of the board
1561 for a period no longer than 1 year, as such renewal is defined
1562 by ~~the board~~ by rule. The renewal fee may not exceed one-half
1563 the current registration fee. To be considered by the board for
1564 approval of registration as a resident, the applicant must have
1565 one of the following:

1566 (a) A Bachelor of Science or higher-level postgraduate
1567 degree in orthotics and prosthetics from an ~~a regionally~~
1568 accredited college or university recognized by the Commission on
1569 Accreditation of Allied Health Education Programs.

1570 (b) A minimum of a bachelor's degree from an
1571 institutionally ~~a regionally~~ accredited college or university
1572 and a certificate in orthotics or prosthetics from a program
1573 recognized by the Commission on Accreditation of Allied Health
1574 Education Programs, or its equivalent, as determined by the
1575 board.

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1576 (c) A minimum of a bachelor's degree from an
1577 institutionally ~~a regionally~~ accredited college or university
1578 and a dual certificate in both orthotics and prosthetics from
1579 programs recognized by the Commission on Accreditation of Allied
1580 Health Education Programs, or its equivalent, as determined by
1581 the board.

1582 (4) The department may develop and administer a state
1583 examination for an orthotist or a prosthetist license, or the
1584 board may approve the existing examination of a national
1585 standards organization. The examination must be predicated on a
1586 minimum of a baccalaureate-level education and formalized
1587 specialized training in the appropriate field. Each examination
1588 must demonstrate a minimum level of competence in basic
1589 scientific knowledge, written problem solving, and practical
1590 clinical patient management. The board shall require an
1591 examination fee not to exceed the actual cost to the board in
1592 developing, administering, and approving the examination, which
1593 fee must be paid by the applicant. To be considered by the board
1594 for examination, the applicant must have:

1595 (a) For an examination in orthotics:

1596 1. A Bachelor of Science or higher-level postgraduate
1597 degree in orthotics and prosthetics from an institutionally ~~a~~
1598 ~~regionally~~ accredited college or university recognized by the
1599 Commission on Accreditation of Allied Health Education Programs
1600 or, at a minimum, a bachelor's degree from an institutionally ~~a~~

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1601 ~~regionally~~ accredited college or university and a certificate in
1602 orthotics from a program recognized by the Commission on
1603 Accreditation of Allied Health Education Programs, or its
1604 equivalent, as determined by the board; and

1605 2. An approved orthotics internship of 1 year of qualified
1606 experience, as determined by the board, or an orthotic residency
1607 or dual residency program recognized by the board.

1608 (b) For an examination in prosthetics:

1609 1. A Bachelor of Science or higher-level postgraduate
1610 degree in orthotics and prosthetics from an institutionally a
1611 ~~regionally~~ accredited college or university recognized by the
1612 Commission on Accreditation of Allied Health Education Programs
1613 or, at a minimum, a bachelor's degree from an institutionally a
1614 ~~regionally~~ accredited college or university and a certificate in
1615 prosthetics from a program recognized by the Commission on
1616 Accreditation of Allied Health Education Programs, or its
1617 equivalent, as determined by the board; and

1618 2. An approved prosthetics internship of 1 year of
1619 qualified experience, as determined by the board, or a
1620 prosthetic residency or dual residency program recognized by the
1621 board.

1622 (5) In addition to the requirements in subsection (2), to
1623 be licensed as:

1624 (a) An orthotist, the applicant must pay a license fee not
1625 to exceed \$500 and must have:

1626 1. A Bachelor of Science or higher-level postgraduate
 1627 degree in orthotics and prosthetics from an institutionally a
 1628 ~~regionally~~ accredited college or university recognized by the
 1629 Commission on Accreditation of Allied Health Education Programs,
 1630 or a bachelor's degree from an institutionally accredited
 1631 college or university and ~~with~~ a certificate in orthotics from a
 1632 program recognized by the Commission on Accreditation of Allied
 1633 Health Education Programs, or its equivalent, as determined by
 1634 the board;

1635 2. An approved ~~appropriate~~ internship of 1 year of
 1636 qualified experience, as determined by the board, or a residency
 1637 program recognized by the board;

1638 3. Completed the mandatory courses; and

1639 4. Passed the state orthotics examination or the board-
 1640 approved orthotics examination.

1641 (b) A prosthetist, the applicant must pay a license fee
 1642 not to exceed \$500 and must have:

1643 1. A Bachelor of Science or higher-level postgraduate
 1644 degree in orthotics and prosthetics from an institutionally a
 1645 ~~regionally~~ accredited college or university recognized by the
 1646 Commission on Accreditation of Allied Health Education Programs,
 1647 or a bachelor's degree from an institutionally accredited
 1648 college or university and ~~with~~ a certificate in prosthetics from
 1649 a program recognized by the Commission on Accreditation of
 1650 Allied Health Education Programs, or its equivalent, as

1651 | determined by the board;

1652 | 2. An internship of 1 year of qualified experience, as
 1653 | determined by the board, or a residency program recognized by
 1654 | the board;

1655 | 3. Completed the mandatory courses; and

1656 | 4. Passed the state prosthetics examination or the board-
 1657 | approved prosthetics examination.

1658 | Section 22. Section 483.824, Florida Statutes, is amended
 1659 | to read:

1660 | 483.824 Qualifications of clinical laboratory director.—A
 1661 | clinical laboratory director must have 4 years of clinical
 1662 | laboratory experience with 2 years of experience in the
 1663 | specialty to be directed or be nationally board certified in the
 1664 | specialty to be directed, and must meet one of the following
 1665 | requirements:

1666 | (1) Be a physician licensed under chapter 458 or chapter
 1667 | 459;

1668 | (2) Hold an earned doctoral degree in a chemical,
 1669 | physical, or biological science from an ~~a regionally~~ accredited
 1670 | institution and maintain national certification requirements
 1671 | equal to those required by the federal Health Care Financing
 1672 | Administration; or

1673 | (3) For the subspecialty of oral pathology, be a physician
 1674 | licensed under chapter 458 or chapter 459 or a dentist licensed
 1675 | under chapter 466.

1676 Section 23. Subsection (3) of section 490.003, Florida
 1677 Statutes, is amended to read:

1678 490.003 Definitions.—As used in this chapter:

1679 (3) (a) "Doctoral degree from an American Psychological
 1680 Association accredited program" means ~~Effective July 1, 1999,~~
 1681 ~~"doctoral-level psychological education" and "doctoral degree in~~
 1682 ~~psychology"~~ mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in
 1683 psychology from a psychology program at an educational
 1684 institution that, at the time the applicant was enrolled and
 1685 graduated:

1686 1.(a) Had institutional accreditation from an agency
 1687 recognized and approved by the United States Department of
 1688 Education or was recognized as a member in good standing with
 1689 the Association of Universities and Colleges of Canada; and

1690 2.(b) Had programmatic accreditation from the American
 1691 Psychological Association.

1692 (b) "Doctoral degree in psychology" means a Psy.D., an
 1693 Ed.D. in psychology, or a Ph.D. in psychology from a psychology
 1694 program at an educational institution that, at the time the
 1695 applicant was enrolled and graduated, had institutional
 1696 accreditation from an agency recognized and approved by the
 1697 United States Department of Education or was recognized as a
 1698 member in good standing with the Association of Universities and
 1699 Colleges of Canada.

1700 Section 24. Subsection (1) of section 490.005, Florida

1701 Statutes, is amended to read:

1702 490.005 Licensure by examination.—

1703 (1) Any person desiring to be licensed as a psychologist
 1704 shall apply to the department to take the licensure examination.
 1705 The department shall license each applicant whom ~~who~~ the board
 1706 certifies has met all of the following requirements:

1707 (a) Completed the application form and remitted a
 1708 nonrefundable application fee not to exceed \$500 and an
 1709 examination fee set by the board sufficient to cover the actual
 1710 per applicant cost to the department for development, purchase,
 1711 and administration of the examination, but not to exceed \$500.

1712 (b) Submitted proof satisfactory to the board that the
 1713 applicant has received:

1714 1. A doctoral degree from an American Psychological
 1715 Association accredited program ~~Doctoral-level psychological~~
 1716 ~~education~~; or

1717 2. The equivalent of a doctoral degree from an American
 1718 Psychological Association accredited program ~~doctoral-level~~
 1719 ~~psychological education, as defined in s. 490.003(3),~~ from a
 1720 ~~program at~~ a school or university located outside the United
 1721 States of America which was officially recognized by the
 1722 government of the country in which it is located as an
 1723 institution or program to train students to practice
 1724 professional psychology. The applicant has the burden of
 1725 establishing that this requirement has been met.

1726 (c) Had at least 2 years or 4,000 hours of experience in
 1727 the field of psychology in association with or under the
 1728 supervision of a licensed psychologist meeting the academic and
 1729 experience requirements of this chapter or the equivalent as
 1730 determined by the board. The experience requirement may be met
 1731 by work performed on or off the premises of the supervising
 1732 psychologist if the off-premises work is not the independent,
 1733 private practice rendering of psychological services that does
 1734 not have a psychologist as a member of the group actually
 1735 rendering psychological services on the premises.

1736 (d) Passed the examination. However, an applicant who has
 1737 obtained a passing score, as established by the board by rule,
 1738 on the psychology licensure examination designated by the board
 1739 as the national licensure examination need only pass the Florida
 1740 law and rules portion of the examination.

1741 Section 25. Subsection (1) of section 490.0051, Florida
 1742 Statutes, is amended to read:

1743 490.0051 Provisional licensure; requirements.—

1744 (1) The department shall issue a provisional psychology
 1745 license to each applicant who the board certifies has:

1746 (a) Completed the application form and remitted a
 1747 nonrefundable application fee not to exceed \$250, as set by
 1748 board rule.

1749 (b) Earned a doctoral degree from an American
 1750 Psychological Association accredited program ~~in psychology as~~

1751 ~~defined in s. 490.003(3).~~

1752 (c) Met any additional requirements established by board
1753 rule.

1754 Section 26. Subsections (1), (3), and (4) of section
1755 491.005, Florida Statutes, are amended to read:

1756 491.005 Licensure by examination.—

1757 (1) CLINICAL SOCIAL WORK.—Upon verification of
1758 documentation and payment of a fee not to exceed \$200, as set by
1759 board rule, ~~plus the actual per applicant cost to the department~~
1760 ~~for purchase of the examination from the American Association of~~
1761 ~~State Social Worker's Boards or a similar national organization,~~
1762 the department shall issue a license as a clinical social worker
1763 to an applicant whom ~~who~~ the board certifies has met all of the
1764 following criteria:

1765 (a) ~~Has~~ Submitted an application and paid the appropriate
1766 fee.

1767 (b)1. ~~Has~~ Received a doctoral degree in social work from a
1768 graduate school of social work which at the time the applicant
1769 graduated was accredited by an accrediting agency recognized by
1770 the United States Department of Education or ~~has~~ received a
1771 master's degree in social work from a graduate school of social
1772 work which at the time the applicant graduated:

1773 a. Was accredited by the Council on Social Work Education;

1774 b. Was accredited by the Canadian Association of Schools
1775 of Social Work; or

1776 c. Has been determined to have been a program equivalent
1777 to programs approved by the Council on Social Work Education by
1778 the Foreign Equivalency Determination Service of the Council on
1779 Social Work Education. An applicant who graduated from a program
1780 at a university or college outside of the United States or
1781 Canada must present documentation of the equivalency
1782 determination from the council in order to qualify.

1783 2. The applicant's graduate program must have emphasized
1784 direct clinical patient or client health care services,
1785 including, but not limited to, coursework in clinical social
1786 work, psychiatric social work, medical social work, social
1787 casework, psychotherapy, or group therapy. The applicant's
1788 graduate program must have included all of the following
1789 coursework:

1790 a. A supervised field placement which was part of the
1791 applicant's advanced concentration in direct practice, during
1792 which the applicant provided clinical services directly to
1793 clients.

1794 b. Completion of 24 semester hours or 32 quarter hours in
1795 theory of human behavior and practice methods as courses in
1796 clinically oriented services, including a minimum of one course
1797 in psychopathology, and no more than one course in research,
1798 taken in a school of social work accredited or approved pursuant
1799 to subparagraph 1.

1800 3. If the course title which appears on the applicant's

1801 transcript does not clearly identify the content of the
1802 coursework, the applicant shall be required to provide
1803 additional documentation, including, but not limited to, a
1804 syllabus or catalog description published for the course.

1805 (c) ~~Has~~ Had at least 2 years of clinical social work
1806 experience, which took place subsequent to completion of a
1807 graduate degree in social work at an institution meeting the
1808 accreditation requirements of this section, under the
1809 supervision of a licensed clinical social worker or the
1810 equivalent who is a qualified supervisor as determined by the
1811 board. An individual who intends to practice in Florida to
1812 satisfy clinical experience requirements must register pursuant
1813 to s. 491.0045 before commencing practice. If the applicant's
1814 graduate program was not a program which emphasized direct
1815 clinical patient or client health care services as described in
1816 subparagraph (b)2., the supervised experience requirement must
1817 take place after the applicant has completed a minimum of 15
1818 semester hours or 22 quarter hours of the coursework required. A
1819 doctoral internship may be applied toward the clinical social
1820 work experience requirement. A licensed mental health
1821 professional must be on the premises when clinical services are
1822 provided by a registered intern in a private practice setting.
1823 When a registered intern provides clinical services through
1824 telehealth, a licensed mental health professional must be
1825 accessible by telephone or electronic means.

1826 (d) ~~Has~~ Passed a theory and practice examination
 1827 designated by board rule ~~provided by the department for this~~
 1828 ~~purpose.~~

1829 (e) ~~Has~~ Demonstrated, in a manner designated by rule of
 1830 the board, knowledge of the laws and rules governing the
 1831 practice of clinical social work, marriage and family therapy,
 1832 and mental health counseling.

1833 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
 1834 documentation and payment of a fee not to exceed \$200, as set by
 1835 board rule, plus the actual cost of the purchase of the
 1836 examination from the Association of Marital and Family Therapy
 1837 Regulatory Board, or similar national organization, the
 1838 department shall issue a license as a marriage and family
 1839 therapist to an applicant whom ~~who~~ the board certifies has met
 1840 all of the following criteria:

1841 (a) ~~Has~~ Submitted an application and paid the appropriate
 1842 fee.

1843 (b)1. Obtained one of the following:

1844 a. ~~Has~~ A minimum of a master's degree with major emphasis
 1845 in marriage and family therapy or a closely related field from a
 1846 program accredited by the Commission on Accreditation for
 1847 Marriage and Family Therapy Education or from a Florida
 1848 university program accredited by the Council for Accreditation
 1849 of Counseling and Related Educational Programs.

1850 b. A minimum of a master's degree with an emphasis in

1851 marriage and family therapy with a degree conferred date before
1852 July 1, 2027, from an institutionally accredited college or
1853 university that is not yet accredited by the Commission on
1854 Accreditation for Marriage and Family Therapy Education or the
1855 Council for Accreditation of Counseling and Related Educational
1856 Programs.

1857 2. Completed ~~and~~ graduate courses approved by the Board of
1858 Clinical Social Work, Marriage and Family Therapy, and Mental
1859 Health Counseling.

1860
1861 If the course title that appears on the applicant's transcript
1862 does not clearly identify the content of the coursework, the
1863 applicant shall provide additional documentation, including, but
1864 not limited to, a syllabus or catalog description published for
1865 the course. The required master's degree must have been received
1866 in an institution of higher education that, at the time the
1867 applicant graduated, was fully accredited by an institutional ~~a~~
1868 ~~regional~~ accrediting body recognized by the Commission on
1869 Recognition of Postsecondary Accreditation or publicly
1870 recognized as a member in good standing with the Association of
1871 Universities and Colleges of Canada, or an institution of higher
1872 education located outside the United States and Canada which, at
1873 the time the applicant was enrolled and at the time the
1874 applicant graduated, maintained a standard of training
1875 substantially equivalent to the standards of training of those

1876 institutions in the United States which are accredited by an
1877 institutional ~~a regional~~ accrediting body recognized by the
1878 Commission on Recognition of Postsecondary Accreditation. Such
1879 foreign education and training must have been received in an
1880 institution or program of higher education officially recognized
1881 by the government of the country in which it is located as an
1882 institution or program to train students to practice as
1883 professional marriage and family therapists or psychotherapists.
1884 The applicant has the burden of establishing that the
1885 requirements of this provision have been met, and the board
1886 shall require documentation, such as an evaluation by a foreign
1887 equivalency determination service, as evidence that the
1888 applicant's graduate degree program and education were
1889 equivalent to an accredited program in this country. An
1890 applicant with a master's degree from a program that did not
1891 emphasize marriage and family therapy may complete the
1892 coursework requirement in a training institution fully
1893 accredited by the Commission on Accreditation for Marriage and
1894 Family Therapy Education recognized by the United States
1895 Department of Education.

1896 (c) ~~Has~~ Had at least 2 years of clinical experience during
1897 which 50 percent of the applicant's clients were receiving
1898 marriage and family therapy services, which must have been ~~be~~ at
1899 the post-master's level under the supervision of a licensed
1900 marriage and family therapist with at least 5 years of

1901 | experience, or the equivalent, who is a qualified supervisor as
 1902 | determined by the board. An individual who intends to practice
 1903 | in Florida to satisfy the clinical experience requirements must
 1904 | register pursuant to s. 491.0045 before commencing practice. If
 1905 | a graduate has a master's degree with a major emphasis in
 1906 | marriage and family therapy or a closely related field which did
 1907 | not include all of the coursework required by paragraph (b),
 1908 | credit for the post-master's level clinical experience may not
 1909 | commence until the applicant has completed a minimum of 10 of
 1910 | the courses required by paragraph (b), as determined by the
 1911 | board, and at least 6 semester hours or 9 quarter hours of the
 1912 | course credits must have been completed in the area of marriage
 1913 | and family systems, theories, or techniques. Within the 2 years
 1914 | of required experience, the applicant must ~~shall~~ provide direct
 1915 | individual, group, or family therapy and counseling to cases
 1916 | including those involving unmarried dyads, married couples,
 1917 | separating and divorcing couples, and family groups that include
 1918 | children. A doctoral internship may be applied toward the
 1919 | clinical experience requirement. A licensed mental health
 1920 | professional must be on the premises when clinical services are
 1921 | provided by a registered intern in a private practice setting.
 1922 | When a registered intern provides clinical services through
 1923 | telehealth, a licensed mental health professional must be
 1924 | accessible by telephone or other electronic means.

1925 | (d) ~~Has~~ Passed a theory and practice examination

1926 | designated by board rule ~~provided by the department.~~

1927 | (e) ~~Has~~ Demonstrated, in a manner designated by board
 1928 | rule, knowledge of the laws and rules governing the practice of
 1929 | clinical social work, marriage and family therapy, and mental
 1930 | health counseling.

1931 |
 1932 | For the purposes of dual licensure, the department shall license
 1933 | as a marriage and family therapist any person who meets the
 1934 | requirements of s. 491.0057. Fees for dual licensure may not
 1935 | exceed those stated in this subsection.

1936 | (4) MENTAL HEALTH COUNSELING.—Upon verification of
 1937 | documentation and payment of a fee not to exceed \$200, as set by
 1938 | board rule, ~~plus the actual per applicant cost of purchase of~~
 1939 | ~~the examination from the National Board for Certified Counselors~~
 1940 | ~~or its successor organization,~~ the department shall issue a
 1941 | license as a mental health counselor to an applicant whom ~~who~~
 1942 | the board certifies has met all of the following criteria:

1943 | (a) ~~Has~~ Submitted an application and paid the appropriate
 1944 | fee.

1945 | (b)1. Obtained ~~Has~~ a minimum of an earned master's degree
 1946 | from a mental health counseling program accredited by the
 1947 | Council for the Accreditation of Counseling and Related
 1948 | Educational Programs which consists of at least 60 semester
 1949 | hours or 80 quarter hours of clinical and didactic instruction,
 1950 | including a course in human sexuality and a course in substance

1951 abuse. If the master's degree is earned from a program related
 1952 to the practice of mental health counseling which is not
 1953 accredited by the Council for the Accreditation of Counseling
 1954 and Related Educational Programs, then the coursework and
 1955 practicum, internship, or fieldwork must consist of at least 60
 1956 semester hours or 80 quarter hours and meet all of the following
 1957 requirements:

1958 a. Thirty-three semester hours or 44 quarter hours of
 1959 graduate coursework, which must include a minimum of 3 semester
 1960 hours or 4 quarter hours of graduate-level coursework in each of
 1961 the following 11 content areas: counseling theories and
 1962 practice; human growth and development; diagnosis and treatment
 1963 of psychopathology; human sexuality; group theories and
 1964 practice; individual evaluation and assessment; career and
 1965 lifestyle assessment; research and program evaluation; social
 1966 and cultural foundations; substance abuse; and legal, ethical,
 1967 and professional standards issues in the practice of mental
 1968 health counseling. Courses in research, thesis or dissertation
 1969 work, practicums, internships, or fieldwork may not be applied
 1970 toward this requirement.

1971 b. A minimum of 3 semester hours or 4 quarter hours of
 1972 graduate-level coursework addressing diagnostic processes,
 1973 including differential diagnosis and the use of the current
 1974 diagnostic tools, such as the current edition of the American
 1975 Psychiatric Association's Diagnostic and Statistical Manual of

1976 Mental Disorders. The graduate program must have emphasized the
 1977 common core curricular experience.

1978 c. The equivalent, as determined by the board, of at least
 1979 700 hours of university-sponsored supervised clinical practicum,
 1980 internship, or field experience that includes at least 280 hours
 1981 of direct client services, as required in the accrediting
 1982 standards of the Council for Accreditation of Counseling and
 1983 Related Educational Programs for mental health counseling
 1984 programs. This experience may not be used to satisfy the post-
 1985 master's clinical experience requirement.

1986 2. ~~Has~~ Provided additional documentation if a course title
 1987 that appears on the applicant's transcript does not clearly
 1988 identify the content of the coursework. The documentation must
 1989 include, but is not limited to, a syllabus or catalog
 1990 description published for the course.

1991
 1992 Education and training in mental health counseling must have
 1993 been received in an institution of higher education that, at the
 1994 time the applicant graduated, was fully accredited by an
 1995 institutional ~~a regional~~ accrediting body recognized by the
 1996 Council for Higher Education Accreditation or its successor
 1997 organization or publicly recognized as a member in good standing
 1998 with the Association of Universities and Colleges of Canada, or
 1999 an institution of higher education located outside the United
 2000 States and Canada which, at the time the applicant was enrolled

2001 and at the time the applicant graduated, maintained a standard
 2002 of training substantially equivalent to the standards of
 2003 training of those institutions in the United States which are
 2004 accredited by an institutional ~~a regional~~ accrediting body
 2005 recognized by the Council for Higher Education Accreditation or
 2006 its successor organization. Such foreign education and training
 2007 must have been received in an institution or program of higher
 2008 education officially recognized by the government of the country
 2009 in which it is located as an institution or program to train
 2010 students to practice as mental health counselors. The applicant
 2011 has the burden of establishing that the requirements of this
 2012 provision have been met, and the board shall require
 2013 documentation, such as an evaluation by a foreign equivalency
 2014 determination service, as evidence that the applicant's graduate
 2015 degree program and education were equivalent to an accredited
 2016 program in this country. Beginning July 1, 2025, an applicant
 2017 must have a master's degree from a program that is accredited by
 2018 the Council for Accreditation of Counseling and Related
 2019 Educational Programs which consists of at least 60 semester
 2020 hours or 80 quarter hours to apply for licensure under this
 2021 paragraph.

2022 (c) ~~Has~~ Had at least 2 years of clinical experience in
 2023 mental health counseling, which must be at the post-master's
 2024 level under the supervision of a licensed mental health
 2025 counselor or the equivalent who is a qualified supervisor as

2026 | determined by the board. An individual who intends to practice
 2027 | in Florida to satisfy the clinical experience requirements must
 2028 | register pursuant to s. 491.0045 before commencing practice. If
 2029 | a graduate has a master's degree with a major related to the
 2030 | practice of mental health counseling which did not include all
 2031 | the coursework required under sub-subparagraphs (b)1.a. and b.,
 2032 | credit for the post-master's level clinical experience may not
 2033 | commence until the applicant has completed a minimum of seven of
 2034 | the courses required under sub-subparagraphs (b)1.a. and b., as
 2035 | determined by the board, one of which must be a course in
 2036 | psychopathology or abnormal psychology. A doctoral internship
 2037 | may be applied toward the clinical experience requirement. A
 2038 | licensed mental health professional must be on the premises when
 2039 | clinical services are provided by a registered intern in a
 2040 | private practice setting. When a registered intern provides
 2041 | clinical services through telehealth, a licensed mental health
 2042 | professional must be accessible by telephone or other electronic
 2043 | means.

2044 | (d) ~~Has~~ Passed a theory and practice examination
 2045 | designated by department rule ~~provided by the department for~~
 2046 | ~~this purpose.~~

2047 | (e) ~~Has~~ Demonstrated, in a manner designated by board
 2048 | rule, knowledge of the laws and rules governing the practice of
 2049 | clinical social work, marriage and family therapy, and mental
 2050 | health counseling.

2051 Section 27. Subsection (6) and paragraph (c) of subsection
 2052 (9) of section 766.314, Florida Statutes, are amended to read:

2053 766.314 Assessments; plan of operation.—

2054 (6)(a) The association shall make all assessments required
 2055 by this section, except initial assessments of physicians
 2056 licensed ~~on or after October 1, 1988, which assessments will be~~
 2057 ~~made~~ by the Department of Health Business and Professional
 2058 ~~Regulation~~, and except assessments of casualty insurers pursuant
 2059 to subparagraph (5)(c)1., which assessments will be made by the
 2060 Office of Insurance Regulation. ~~Beginning October 1, 1989, for~~
 2061 ~~any physician licensed between October 1 and December 31 of any~~
 2062 ~~year, the Department of Business and Professional Regulation~~
 2063 ~~shall make the initial assessment plus the assessment for the~~
 2064 ~~following calendar year.~~ The Department of Health Business and
 2065 ~~Professional Regulation~~ shall provide the association, in an
 2066 electronic format, with a monthly report ~~such frequency as~~
 2067 ~~determined to be necessary, a listing, in a computer-readable~~
 2068 ~~form,~~ of the names and license numbers ~~addresses~~ of all
 2069 physicians licensed under chapter 458 or chapter 459.

2070 (b)1. The association may enforce collection of
 2071 assessments required to be paid pursuant to ss. 766.301-766.316
 2072 by suit filed in county court. The association is ~~shall be~~
 2073 entitled to an award of attorney's fees, costs, and interest
 2074 upon the entry of a judgment against a physician for failure to
 2075 pay such assessment, with such interest accruing until paid.

2076 Notwithstanding ~~the provisions of~~ chapters 47 and 48, the
 2077 association may file such suit in either Leon County or the
 2078 county of the residence of the defendant.

2079 2. The Department of Health ~~Business and Professional~~
 2080 ~~Regulation~~, upon notification by the association that an
 2081 assessment has not been paid and that there is an unsatisfied
 2082 judgment against a physician, shall refuse to ~~not~~ renew any
 2083 license issued to ~~practice for~~ such physician under ~~issued~~
 2084 ~~pursuant to~~ chapter 458 or chapter 459 until the association
 2085 notifies the Department of Health that ~~such time as~~ the judgment
 2086 is satisfied in full.

2087 (c) The Agency for Health Care Administration shall, upon
 2088 notification by the association that an assessment has not been
 2089 timely paid, enforce collection of such assessments required to
 2090 be paid by hospitals pursuant to ss. 766.301-766.316. Failure of
 2091 a hospital to pay such assessment is grounds for disciplinary
 2092 action pursuant to s. 395.1065 notwithstanding any ~~provision of~~
 2093 law to the contrary.

2094 (9)

2095 (c) If ~~In the event~~ the total of all current estimates
 2096 equals 80 percent of the funds on hand and the funds that will
 2097 become available to the association within the next 12 months
 2098 from all sources described in subsections (4) and (5) and
 2099 paragraph (7)(a), the association may ~~shall~~ not accept any new
 2100 claims without express authority from the Legislature. Nothing

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2101 in this section precludes ~~herein shall preclude~~ the association
2102 from accepting any claim if the injury occurred 18 months or
2103 more before ~~prior to~~ the effective date of this suspension.
2104 Within 30 days after ~~of~~ the effective date of this suspension,
2105 the association shall notify the Governor, the Speaker of the
2106 House of Representatives, the President of the Senate, the
2107 Office of Insurance Regulation, the Agency for Health Care
2108 Administration, and the Department of Health, ~~and the Department~~
2109 ~~of Business and Professional Regulation~~ of this suspension.
2110 Section 28. This act shall take effect July 1, 2022.