

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 the employees
 30 | acquire, possess, test, transport, or lawfully dispose
 31 | of marijuana and marijuana delivery devices under
 32 | certain circumstances; amending s. 381.99, F.S.;
 33 | revising membership of the Rare Disease Advisory
 34 | Council; amending s. 383.216, F.S.; authorizing an
 35 | administrative service organization representing all
 36 | Healthy Start Coalitions to use any method of
 37 | telecommunication to conduct meetings under certain
 38 | circumstances; amending s. 406.11, F.S.; revising
 39 | requirements for medical examiner death
 40 | certifications; amending s. 456.039, F.S.; requiring
 41 | applicants to provide certain proof of payment;
 42 | amending s. 460.406, F.S.; revising provisions related
 43 | to chiropractic physician licensing; amending s.
 44 | 464.008, F.S.; deleting a requirement that certain
 45 | nursing program graduates complete a specified
 46 | preparatory course; amending s. 464.018, F.S.;
 47 | revising grounds for disciplinary action against
 48 | licensed nurses; creating s. 465.41, F.S.; providing
 49 | legislative intent; providing reporting requirements
 50 | for certain persons who ship compounded human drug

51 products interstate; authorizing the Board of Pharmacy
52 to adopt rules; amending s. 467.003, F.S.; revising
53 and providing definitions; amending s. 467.009, F.S.;
54 revising education and training requirements for
55 accredited and approved midwifery programs; amending
56 s. 467.011, F.S.; revising qualification and
57 examination requirements for the licensure of
58 midwives; amending s. 467.0125, F.S.; revising
59 requirements for licensure by endorsement of midwives;
60 revising requirements for temporary certificates to
61 practice midwifery in the state; amending s. 467.205,
62 F.S.; revising provisions relating to approval,
63 continued monitoring, probationary status, provisional
64 approval, and approval rescission of midwifery
65 programs; amending s. 468.803, F.S.; revising
66 provisions relating to orthotist and prosthetist
67 registration, examination, and licensing; amending s.
68 483.824, F.S.; revising educational requirements for
69 clinical laboratory directors; amending s. 490.003,
70 F.S.; defining the terms "doctoral degree from an
71 American Psychological Association accredited program"
72 and "doctoral degree in psychology"; amending ss.
73 490.005 and 490.0051, F.S.; revising education
74 requirements for psychologist licensure and
75 provisional licensure, respectively; amending s.

76 491.005, F.S.; revising requirements for licensure of
 77 clinical social workers, marriage and family
 78 therapists, and mental health counselors; amending s.
 79 766.314, F.S.; deleting obsolete language and updating
 80 provisions to conform to current law; revising the
 81 frequency with which the department must submit
 82 certain reports to the Florida Birth-Related
 83 Neurological Injury Compensation Association; revising
 84 the content of such reports; requiring the Florida
 85 Birth-Related Neurological Injury Compensation
 86 Association to notify the Department of Health and the
 87 applicable board of any unpaid final judgements
 88 against a physician within a specified time frame;
 89 removing a provision prohibiting the Department of
 90 Business and Professional Regulation from renewing a
 91 license to practice for certain physicians under
 92 certain circumstances; providing an effective date.

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

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

98 381.0045 Targeted outreach for pregnant women.—

99 (2) It is the purpose of this section to establish a
 100 targeted outreach program for high-risk pregnant women who may

101 not seek proper prenatal care, who suffer from substance abuse
102 or mental health problems, or who have acquired ~~are infected~~
103 ~~with~~ human immunodeficiency virus (HIV), and to provide these
104 women with links to much-needed ~~much-needed~~ services and
105 information.

106 (3) The department shall:

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

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

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

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

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

122 (f) Link women with substance abuse treatment and mental
123 health services, when available, and act as a liaison with
124 Healthy Start coalitions, children's medical services, Ryan
125 White-funded providers, and other services of the Department of

126 Health.

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

129 (h) ~~(g)~~ Provide continued oversight of any newborn exposed
 130 to HIV to determine the newborn's final HIV status and ensure
 131 continued linkage to care if the newborn is diagnosed with HIV
 132 to HIV-exposed newborns.

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

135 381.0303 Special needs shelters.—

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

139 (a) The department shall assume lead responsibility for
 140 the coordination of local medical and health care providers, the
 141 American Red Cross, and other interested parties in developing a
 142 plan for the staffing and medical management of special needs
 143 shelters and. ~~The local Children's Medical Services offices~~
 144 ~~shall assume lead responsibility for the coordination of local~~
 145 ~~medical and health care providers, the American Red Cross, and~~
 146 ~~other interested parties in developing a plan for the staffing~~
 147 ~~and medical management of pediatric special needs shelters.~~

148 Plans must conform to the local comprehensive emergency
 149 management plan.

150 (c) The appropriate county health department, ~~Children's~~

151 ~~Medical Services office,~~ and local emergency management agency
 152 shall jointly decide who has responsibility for medical
 153 supervision in each special needs shelter.

154 Section 3. Paragraphs (e) through (h) of subsection (14)
 155 of section 381.986, Florida Statutes, are redesignated as
 156 paragraphs (f) through (i), respectively, paragraph (e) of
 157 subsection (8) is amended, and a new paragraph (e) is added to
 158 subsection (14) of that section, to read:

159 381.986 Medical use of marijuana.—

160 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

161 (e) A licensed medical marijuana treatment center shall
 162 cultivate, process, transport, and dispense marijuana for
 163 medical use. A licensed medical marijuana treatment center may
 164 not contract for services directly related to the cultivation,
 165 processing, and dispensing of marijuana or marijuana delivery
 166 devices, except that a medical marijuana treatment center
 167 licensed pursuant to subparagraph (a)1. may contract with a
 168 single entity for the cultivation, processing, transporting, and
 169 dispensing of marijuana and marijuana delivery devices. A
 170 licensed medical marijuana treatment center must, at all times,
 171 maintain compliance with the criteria demonstrated and
 172 representations made in the initial application and the criteria
 173 established in this subsection. Upon request, the department may
 174 grant a medical marijuana treatment center a variance from the
 175 representations made in the initial application. Consideration

176 of such a request shall be based upon the individual facts and
177 circumstances surrounding the request. A variance may not be
178 granted unless the requesting medical marijuana treatment center
179 can demonstrate to the department that it has a proposed
180 alternative to the specific representation made in its
181 application which fulfills the same or a similar purpose as the
182 specific representation in a way that the department can
183 reasonably determine will not be a lower standard than the
184 specific representation in the application. A variance may not
185 be granted from the requirements in subparagraph 2. and
186 subparagraphs (b)1. and 2.

187 1. A licensed medical marijuana treatment center may
188 transfer ownership to an individual or entity who meets the
189 requirements of this section. A publicly traded corporation or
190 publicly traded company that meets the requirements of this
191 section is not precluded from ownership of a medical marijuana
192 treatment center. To accommodate a change in ownership:

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

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

200 c. Upon receipt of an application for a license, the

201 department shall examine the application and, within 30 days
202 after receipt, notify the applicant in writing of any apparent
203 errors or omissions and request any additional information
204 required.

205 d. Requested information omitted from an application for
206 licensure must be filed with the department within 21 days after
207 the department's request for omitted information or the
208 application shall be deemed incomplete and shall be withdrawn
209 from further consideration and the fees shall be forfeited.

210 e. Within 30 days after the receipt of a complete
211 application, the department shall approve or deny the
212 application.

213 2. A medical marijuana treatment center, and any
214 individual or entity who directly or indirectly owns, controls,
215 or holds with power to vote 5 percent or more of the voting
216 shares of a medical marijuana treatment center, may not acquire
217 direct or indirect ownership or control of any voting shares or
218 other form of ownership of any other medical marijuana treatment
219 center.

220 3. A medical marijuana treatment center may not enter into
221 any form of profit-sharing arrangement with the property owner
222 or lessor of any of its facilities where cultivation,
223 processing, storing, or dispensing of marijuana and marijuana
224 delivery devices occurs.

225 4. All employees of a medical marijuana treatment center

226 must be 21 years of age or older and have passed a background
227 screening pursuant to subsection (9).

228 5. Each medical marijuana treatment center must adopt and
229 enforce policies and procedures to ensure employees and
230 volunteers receive training on the legal requirements to
231 dispense marijuana to qualified patients.

232 6. When growing marijuana, a medical marijuana treatment
233 center:

234 a. May use pesticides determined by the department, after
235 consultation with the Department of Agriculture and Consumer
236 Services, to be safely applied to plants intended for human
237 consumption, but may not use pesticides designated as
238 restricted-use pesticides pursuant to s. 487.042.

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

241 c. Must inspect seeds and growing plants for plant pests
242 that endanger or threaten the horticultural and agricultural
243 interests of the state in accordance with chapter 581 and any
244 rules adopted thereunder.

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

248 7. Each medical marijuana treatment center must produce
249 and make available for purchase at least one low-THC cannabis
250 product.

251 8. A medical marijuana treatment center that produces
252 edibles must hold a permit to operate as a food establishment
253 pursuant to chapter 500, the Florida Food Safety Act, and must
254 comply with all the requirements for food establishments
255 pursuant to chapter 500 and any rules adopted thereunder.
256 Edibles may not contain more than 200 milligrams of
257 tetrahydrocannabinol, and a single serving portion of an edible
258 may not exceed 10 milligrams of tetrahydrocannabinol. Edibles
259 may have a potency variance of no greater than 15 percent.
260 Edibles may not be attractive to children; be manufactured in
261 the shape of humans, cartoons, or animals; be manufactured in a
262 form that bears any reasonable resemblance to products available
263 for consumption as commercially available candy; or contain any
264 color additives. To discourage consumption of edibles by
265 children, the department shall determine by rule any shapes,
266 forms, and ingredients allowed and prohibited for edibles.
267 Medical marijuana treatment centers may not begin processing or
268 dispensing edibles until after the effective date of the rule.
269 The department shall also adopt sanitation rules providing the
270 standards and requirements for the storage, display, or
271 dispensing of edibles.

272 9. Within 12 months after licensure, a medical marijuana
273 treatment center must demonstrate to the department that all of
274 its processing facilities have passed a Food Safety Good
275 Manufacturing Practices, such as Global Food Safety Initiative

276 or equivalent, inspection by a nationally accredited certifying
277 body. A medical marijuana treatment center must immediately stop
278 processing at any facility which fails to pass this inspection
279 until it demonstrates to the department that such facility has
280 met this requirement.

281 10. A medical marijuana treatment center that produces
282 prerolled marijuana cigarettes may not use wrapping paper made
283 with tobacco or hemp.

284 11. When processing marijuana, a medical marijuana
285 treatment center must:

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

288 b. Comply with department rules when processing marijuana
289 with hydrocarbon solvents or other solvents or gases exhibiting
290 potential toxicity to humans. The department shall determine by
291 rule the requirements for medical marijuana treatment centers to
292 use such solvents or gases exhibiting potential toxicity to
293 humans.

294 c. Comply with federal and state laws and regulations and
295 department rules for solid and liquid wastes. The department
296 shall determine by rule procedures for the storage, handling,
297 transportation, management, and disposal of solid and liquid
298 waste generated during marijuana production and processing. The
299 Department of Environmental Protection shall assist the
300 department in developing such rules.

301 d. Test the processed marijuana using a medical marijuana
 302 testing laboratory before it is dispensed. Results must be
 303 verified and signed by two medical marijuana treatment center
 304 employees. Before dispensing, the medical marijuana treatment
 305 center must determine that the test results indicate that low-
 306 THC cannabis meets the definition of low-THC cannabis, the
 307 concentration of tetrahydrocannabinol meets the potency
 308 requirements of this section, the labeling of the concentration
 309 of tetrahydrocannabinol and cannabidiol is accurate, and all
 310 marijuana is safe for human consumption and free from
 311 contaminants that are unsafe for human consumption. The
 312 department shall determine by rule which contaminants must be
 313 tested for and the maximum levels of each contaminant which are
 314 safe for human consumption. The Department of Agriculture and
 315 Consumer Services shall assist the department in developing the
 316 testing requirements for contaminants that are unsafe for human
 317 consumption in edibles. The department shall also determine by
 318 rule the procedures for the treatment of marijuana that fails to
 319 meet the testing requirements of this section, s. 381.988, or
 320 department rule. The department may select samples of marijuana
 321 ~~a random sample from edibles available for purchase in a~~ medical
 322 marijuana treatment center ~~dispensing~~ facility which shall be
 323 tested by the department to determine whether ~~that~~ the marijuana
 324 ~~edible~~ meets the potency requirements of this section, is safe
 325 for human consumption, and is accurately labeled with ~~the~~

326 ~~labeling of the tetrahydrocannabinol and cannabidiol~~
327 concentration or to verify the result of marijuana testing
328 conducted by a marijuana testing laboratory. The department may
329 also select samples of marijuana delivery devices from a medical
330 marijuana treatment center to determine whether the marijuana
331 delivery device is safe for use by qualified patients ~~is~~
332 ~~accurate~~. A medical marijuana treatment center may not require
333 payment from the department for the sample. A medical marijuana
334 treatment center must recall marijuana edibles, including all
335 marijuana and marijuana products ~~edibles~~ made from the same
336 batch of marijuana, that fails ~~which fail~~ to meet the potency
337 requirements of this section, that is ~~which are~~ unsafe for human
338 consumption, or for which the labeling of the
339 tetrahydrocannabinol and cannabidiol concentration is
340 inaccurate. A medical marijuana treatment center must also
341 recall all marijuana delivery devices determined to be unsafe
342 for use by qualified patients. The medical marijuana treatment
343 center must retain records of all testing and samples of each
344 homogenous batch of marijuana for at least 9 months. The medical
345 marijuana treatment center must contract with a marijuana
346 testing laboratory to perform audits on the medical marijuana
347 treatment center's standard operating procedures, testing
348 records, and samples and provide the results to the department
349 to confirm that the marijuana or low-THC cannabis meets the
350 requirements of this section and that the marijuana or low-THC

351 cannabis is safe for human consumption. A medical marijuana
352 treatment center shall reserve two processed samples from each
353 batch and retain such samples for at least 9 months for the
354 purpose of such audits. A medical marijuana treatment center may
355 use a laboratory that has not been certified by the department
356 under s. 381.988 until such time as at least one laboratory
357 holds the required certification, but in no event later than
358 July 1, 2018.

359 e. Package the marijuana in compliance with the United
360 States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.
361 1471 et seq.

362 f. Package the marijuana in a receptacle that has a firmly
363 affixed and legible label stating the following information:

364 (I) The marijuana or low-THC cannabis meets the
365 requirements of sub-subparagraph d.

366 (II) The name of the medical marijuana treatment center
367 from which the marijuana originates.

368 (III) The batch number and harvest number from which the
369 marijuana originates and the date dispensed.

370 (IV) The name of the physician who issued the physician
371 certification.

372 (V) The name of the patient.

373 (VI) The product name, if applicable, and dosage form,
374 including concentration of tetrahydrocannabinol and cannabidiol.

375 The product name may not contain wording commonly associated

376 with products marketed by or to children.
377 (VII) The recommended dose.
378 (VIII) A warning that it is illegal to transfer medical
379 marijuana to another person.
380 (IX) A marijuana universal symbol developed by the
381 department.
382 12. The medical marijuana treatment center shall include
383 in each package a patient package insert with information on the
384 specific product dispensed related to:
385 a. Clinical pharmacology.
386 b. Indications and use.
387 c. Dosage and administration.
388 d. Dosage forms and strengths.
389 e. Contraindications.
390 f. Warnings and precautions.
391 g. Adverse reactions.
392 13. In addition to the packaging and labeling requirements
393 specified in subparagraphs 11. and 12., marijuana in a form for
394 smoking must be packaged in a sealed receptacle with a legible
395 and prominent warning to keep away from children and a warning
396 that states marijuana smoke contains carcinogens and may
397 negatively affect health. Such receptacles for marijuana in a
398 form for smoking must be plain, opaque, and white without
399 depictions of the product or images other than the medical
400 marijuana treatment center's department-approved logo and the

401 marijuana universal symbol.

402 14. The department shall adopt rules to regulate the
403 types, appearance, and labeling of marijuana delivery devices
404 dispensed from a medical marijuana treatment center. The rules
405 must require marijuana delivery devices to have an appearance
406 consistent with medical use.

407 15. Each edible shall be individually sealed in plain,
408 opaque wrapping marked only with the marijuana universal symbol.
409 Where practical, each edible shall be marked with the marijuana
410 universal symbol. In addition to the packaging and labeling
411 requirements in subparagraphs 11. and 12., edible receptacles
412 must be plain, opaque, and white without depictions of the
413 product or images other than the medical marijuana treatment
414 center's department-approved logo and the marijuana universal
415 symbol. The receptacle must also include a list of all the
416 edible's ingredients, storage instructions, an expiration date,
417 a legible and prominent warning to keep away from children and
418 pets, and a warning that the edible has not been produced or
419 inspected pursuant to federal food safety laws.

420 16. When dispensing marijuana or a marijuana delivery
421 device, a medical marijuana treatment center:

422 a. May dispense any active, valid order for low-THC
423 cannabis, medical cannabis and cannabis delivery devices issued
424 pursuant to former s. 381.986, Florida Statutes 2016, which was
425 entered into the medical marijuana use registry before July 1,

426 2017.

427 b. May not dispense more than a 70-day supply of marijuana
428 within any 70-day period to a qualified patient or caregiver.

429 May not dispense more than one 35-day supply of marijuana in a
430 form for smoking within any 35-day period to a qualified patient
431 or caregiver. A 35-day supply of marijuana in a form for smoking
432 may not exceed 2.5 ounces unless an exception to this amount is
433 approved by the department pursuant to paragraph (4)(f).

434 c. Must have the medical marijuana treatment center's
435 employee who dispenses the marijuana or a marijuana delivery
436 device enter into the medical marijuana use registry his or her
437 name or unique employee identifier.

438 d. Must verify that the qualified patient and the
439 caregiver, if applicable, each have an active registration in
440 the medical marijuana use registry and an active and valid
441 medical marijuana use registry identification card, the amount
442 and type of marijuana dispensed matches the physician
443 certification in the medical marijuana use registry for that
444 qualified patient, and the physician certification has not
445 already been filled.

446 e. May not dispense marijuana to a qualified patient who
447 is younger than 18 years of age. If the qualified patient is
448 younger than 18 years of age, marijuana may only be dispensed to
449 the qualified patient's caregiver.

450 f. May not dispense or sell any other type of cannabis,

451 alcohol, or illicit drug-related product, including pipes or
 452 wrapping papers made with tobacco or hemp, other than a
 453 marijuana delivery device required for the medical use of
 454 marijuana and which is specified in a physician certification.

455 g. Must, upon dispensing the marijuana or marijuana
 456 delivery device, record in the registry the date, time,
 457 quantity, and form of marijuana dispensed; the type of marijuana
 458 delivery device dispensed; and the name and medical marijuana
 459 use registry identification number of the qualified patient or
 460 caregiver to whom the marijuana delivery device was dispensed.

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

464 (14) EXCEPTIONS TO OTHER LAWS.—

465 (e) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or
 466 any other law, but subject to the requirements of this section,
 467 the department, including an employee of the department acting
 468 within the scope of his or her employment, may acquire, possess,
 469 test, transport, and lawfully dispose of marijuana and marijuana
 470 delivery devices as provided in this section, in s. 381.988, and
 471 by department rule.

472 Section 4. Paragraphs (b) and (c) of subsection (2) of
 473 section 381.99, Florida Statutes, are amended to read:

474 381.99 Rare Disease Advisory Council.—

475 (2) The advisory council is composed of the following

476 members:

477 (b) As appointed by the President of the Senate:

478 1. A representative from an academic research institution
 479 in this state which receives grant funding for research
 480 regarding rare diseases.

481 2. A physician who is licensed under chapter 458 or
 482 chapter 459 and practicing in this state with experience in
 483 treating rare diseases.

484 3. An individual who is 18 years of age or older who has a
 485 rare disease.

486 4. Two individuals ~~An individual~~ who are caregivers for
 487 individuals ~~is a caregiver of an individual~~ with a rare disease.

488 5. A representative of an organization operating in this
 489 state which provides care or other support to individuals with
 490 rare diseases.

491 (c) As appointed by the Speaker of the House of
 492 Representatives:

493 1. A representative from an academic research institution
 494 in this state which receives grant funding for research
 495 regarding rare diseases.

496 2. A physician who is licensed under chapter 458 or
 497 chapter 459 and practicing in this state with experience in
 498 treating rare diseases.

499 3. An individual who is 18 years of age or older who has a
 500 rare disease.

501 4. Two individuals ~~An individual~~ who are caregivers for
 502 individuals ~~is a caregiver of an individual~~ with a rare disease.

503 5. A representative of organizations in this state which
 504 provide care or other support to individuals with rare diseases.

505
 506 Any vacancy on the advisory council must be filled in the same
 507 manner as the original appointment.

508 Section 5. Subsection (9) of section 383.216, Florida
 509 Statutes, is amended to read:

510 383.216 Community-based prenatal and infant health care.—

511 (9) Local prenatal and infant health care coalitions shall
 512 incorporate as not-for-profit corporations for the purpose of
 513 seeking and receiving grants from federal, state, and local
 514 government and other contributors. However, a coalition need not
 515 be designated as a tax-exempt organization under s. 501(c)(3) of
 516 the Internal Revenue Code. An administrative services
 517 organization representing all Healthy Start Coalitions under s.
 518 409.975(4) may use any method of telecommunication to conduct
 519 meetings for any authorized function, provided that the public
 520 is given proper notice of and reasonable access to the meeting.

521 Section 6. Subsection (1) of section 406.11, Florida
 522 Statutes, is amended to read:

523 406.11 Examinations, investigations, and autopsies.—

524 (1) In any of the following circumstances involving the
 525 death of a human being, the medical examiner of the district in

526 | which the death occurred or the body was found shall determine
 527 | the cause of death ~~and certify the death~~ and shall, for that
 528 | purpose, make or perform such examinations, investigations, and
 529 | autopsies as he or she deems necessary or as requested by the
 530 | state attorney:

531 | (a) When any person dies in this state:

- 532 | 1. Of criminal violence.
- 533 | 2. By accident.
- 534 | 3. By suicide.
- 535 | 4. Suddenly, when in apparent good health.
- 536 | 5. Unattended by a practicing physician or other
 537 | recognized practitioner.
- 538 | 6. In any prison or penal institution.
- 539 | 7. In police custody.
- 540 | 8. In any suspicious or unusual circumstance.
- 541 | 9. By criminal abortion.
- 542 | 10. By poison.
- 543 | 11. By disease constituting a threat to public health.
- 544 | 12. By disease, injury, or toxic agent resulting from
 545 | employment.

546 | (b) When a dead body is brought into this state without
 547 | proper medical certification.

548 | (c) When a body is to be cremated, dissected, or buried at
 549 | sea.

550 | Section 7. Subsection (1) of section 456.039, Florida

551 Statutes, is amended to read:

552 456.039 Designated health care professionals; information
553 required for licensure.—

554 (1) Each person who applies for initial licensure as a
555 physician under chapter 458, chapter 459, chapter 460, or
556 chapter 461, except a person applying for registration pursuant
557 to ss. 458.345 and 459.021, must, at the time of application,
558 and each physician who applies for license renewal under chapter
559 458, chapter 459, chapter 460, or chapter 461, except a person
560 registered pursuant to ss. 458.345 and 459.021, must, in
561 conjunction with the renewal of such license and under
562 procedures adopted by the Department of Health, and in addition
563 to any other information that may be required from the
564 applicant, furnish the following information to the Department
565 of Health:

566 (a)1. The name of each medical school that the applicant
567 has attended, with the dates of attendance and the date of
568 graduation, and a description of all graduate medical education
569 completed by the applicant, excluding any coursework taken to
570 satisfy medical licensure continuing education requirements.

571 2. The name of each hospital at which the applicant has
572 privileges.

573 3. The address at which the applicant will primarily
574 conduct his or her practice.

575 4. Any certification that the applicant has received from

576 a specialty board that is recognized by the board to which the
577 applicant is applying.

578 5. The year that the applicant began practicing medicine.

579 6. Any appointment to the faculty of a medical school
580 which the applicant currently holds and an indication as to
581 whether the applicant has had the responsibility for graduate
582 medical education within the most recent 10 years.

583 7. A description of any criminal offense of which the
584 applicant has been found guilty, regardless of whether
585 adjudication of guilt was withheld, or to which the applicant
586 has pled guilty or nolo contendere. A criminal offense committed
587 in another jurisdiction which would have been a felony or
588 misdemeanor if committed in this state must be reported. If the
589 applicant indicates that a criminal offense is under appeal and
590 submits a copy of the notice for appeal of that criminal
591 offense, the department must state that the criminal offense is
592 under appeal if the criminal offense is reported in the
593 applicant's profile. If the applicant indicates to the
594 department that a criminal offense is under appeal, the
595 applicant must, upon disposition of the appeal, submit to the
596 department a copy of the final written order of disposition.

597 8. A description of any final disciplinary action taken
598 within the previous 10 years against the applicant by the agency
599 regulating the profession that the applicant is or has been
600 licensed to practice, whether in this state or in any other

601 jurisdiction, by a specialty board that is recognized by the
602 American Board of Medical Specialties, the American Osteopathic
603 Association, or a similar national organization, or by a
604 licensed hospital, health maintenance organization, prepaid
605 health clinic, ambulatory surgical center, or nursing home.
606 Disciplinary action includes resignation from or nonrenewal of
607 medical staff membership or the restriction of privileges at a
608 licensed hospital, health maintenance organization, prepaid
609 health clinic, ambulatory surgical center, or nursing home taken
610 in lieu of or in settlement of a pending disciplinary case
611 related to competence or character. If the applicant indicates
612 that the disciplinary action is under appeal and submits a copy
613 of the document initiating an appeal of the disciplinary action,
614 the department must state that the disciplinary action is under
615 appeal if the disciplinary action is reported in the applicant's
616 profile.

617 9. Relevant professional qualifications as defined by the
618 applicable board.

619 (b) In addition to the information required under
620 paragraph (a), each applicant who seeks licensure under chapter
621 458, chapter 459, or chapter 461, and who has practiced
622 previously in this state or in another jurisdiction or a foreign
623 country must provide the information required of licensees under
624 those chapters pursuant to s. 456.049. An applicant for
625 licensure under chapter 460 who has practiced previously in this

626 state or in another jurisdiction or a foreign country must
 627 provide the same information as is required of licensees under
 628 chapter 458, pursuant to s. 456.049.

629 (c) Each applicant who seeks licensure under chapter 458
 630 or chapter 459 must provide proof of payment of the assessment
 631 required under s. 766.314, if applicable.

632 Section 8. Subsection (1) of section 460.406, Florida
 633 Statutes, is amended to read:

634 460.406 Licensure by examination.—

635 (1) Any person desiring to be licensed as a chiropractic
 636 physician must apply to the department to take the licensure
 637 examination. There shall be an application fee set by the board
 638 not to exceed \$100 which shall be nonrefundable. There shall
 639 also be an examination fee not to exceed \$500 plus the actual
 640 per applicant cost to the department for purchase of portions of
 641 the examination from the National Board of Chiropractic
 642 Examiners or a similar national organization, which may be
 643 refundable if the applicant is found ineligible to take the
 644 examination. The department shall examine each applicant whom
 645 ~~who~~ the board certifies has met all of the following criteria:

646 (a) Completed the application form and remitted the
 647 appropriate fee.

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

650 (c) Submitted proof satisfactory to the department that he

651 or she is a graduate of a chiropractic college which is
652 accredited by or has status with the Council on Chiropractic
653 Education or its predecessor agency. However, any applicant who
654 is a graduate of a chiropractic college that was initially
655 accredited by the Council on Chiropractic Education in 1995, who
656 graduated from such college within the 4 years immediately
657 preceding such accreditation, and who is otherwise qualified is
658 ~~shall be~~ eligible to take the examination. An ~~No~~ application for
659 a license to practice chiropractic medicine may not ~~shall~~ be
660 denied solely because the applicant is a graduate of a
661 chiropractic college that subscribes to one philosophy of
662 chiropractic medicine as distinguished from another.

663 (d)1. For an applicant who has matriculated in a
664 chiropractic college before ~~prior to~~ July 2, 1990, completed at
665 least 2 years of residence college work, consisting of a minimum
666 of one-half the work acceptable for a bachelor's degree granted
667 on the basis of a 4-year period of study, in a college or
668 university accredited by an institutional accrediting agency
669 recognized and approved by the United States Department of
670 Education. However, before ~~prior to~~ being certified by the board
671 to sit for the examination, each applicant who has matriculated
672 in a chiropractic college after July 1, 1990, must ~~shall~~ have
673 been granted a bachelor's degree, based upon 4 academic years of
674 study, by a college or university accredited by an institutional
675 ~~a regional~~ accrediting agency that ~~which~~ is a member of the

676 Commission on Recognition of Postsecondary Accreditation.

677 2. Effective July 1, 2000, completed, before ~~prior to~~
678 matriculation in a chiropractic college, at least 3 years of
679 residence college work, consisting of a minimum of 90 semester
680 hours leading to a bachelor's degree in a liberal arts college
681 or university accredited by an institutional accrediting agency
682 recognized and approved by the United States Department of
683 Education. However, before ~~prior to~~ being certified by the board
684 to sit for the examination, each applicant who has matriculated
685 in a chiropractic college after July 1, 2000, must ~~shall~~ have
686 been granted a bachelor's degree from an institution holding
687 accreditation for that degree from an institutional ~~a regional~~
688 accrediting agency that ~~which~~ is recognized by the United States
689 Department of Education. The applicant's chiropractic degree
690 must consist of credits earned in the chiropractic program and
691 may not include academic credit for courses from the bachelor's
692 degree.

693 (e) Successfully completed the National Board of
694 Chiropractic Examiners certification examination in parts I, II,
695 III, and IV, and the physiotherapy examination of the National
696 Board of Chiropractic Examiners, with a score approved by the
697 board.

698 (f) Submitted to the department a set of fingerprints on a
699 form and under procedures specified by the department, along
700 with payment in an amount equal to the costs incurred by the

701 Department of Health for the criminal background check of the
 702 applicant.

703
 704 The board may require an applicant who graduated from an
 705 institution accredited by the Council on Chiropractic Education
 706 more than 10 years before the date of application to the board
 707 to take the National Board of Chiropractic Examiners Special
 708 Purposes Examination for Chiropractic, or its equivalent, as
 709 determined by the board. The board shall establish by rule a
 710 passing score.

711 Section 9. Subsection (4) of section 464.008, Florida
 712 Statutes, is amended to read:

713 464.008 Licensure by examination.—

714 ~~(4) If an applicant who graduates from an approved program~~
 715 ~~does not take the licensure examination within 6 months after~~
 716 ~~graduation, he or she must enroll in and successfully complete a~~
 717 ~~board-approved licensure examination preparatory course. The~~
 718 ~~applicant is responsible for all costs associated with the~~
 719 ~~course and may not use state or federal financial aid for such~~
 720 ~~costs. The board shall by rule establish guidelines for~~
 721 ~~licensure examination preparatory courses.~~

722 Section 10. Paragraph (e) of subsection (1) of section
 723 464.018, Florida Statutes, is amended to read:

724 464.018 Disciplinary actions.—

725 (1) The following acts constitute grounds for denial of a

726 license or disciplinary action, as specified in ss. 456.072(2)
 727 and 464.0095:

728 (e) Having been found guilty of, ~~regardless of~~
 729 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,
 730 regardless of adjudication, any offense prohibited under s.
 731 435.04 or similar statute of another jurisdiction; or having
 732 committed an act which constitutes domestic violence as defined
 733 in s. 741.28.

734 Section 11. Section 465.41, Florida Statutes, is created
 735 to read:

736 465.41 Distribution of compounded human drug products.-

737 (1) It is the intent of the Legislature to enhance
 738 communication and maximize federal and state resources for
 739 oversight of compounded drugs produced by traditional pharmacies
 740 and to enact an information sharing agreement with the federal
 741 Food and Drug Administration as a tool to monitor such drug
 742 products.

743 (2) On an annual basis, and within 90 days after the
 744 beginning of the calendar year, all licensees who ship
 745 compounded human drug products interstate shall report to the
 746 National Association of Boards of Pharmacy Information-Sharing
 747 Network the information required by the Memorandum of
 748 Understanding Addressing Certain Distributions of Compounded
 749 Human Drug Products between the department and the United States
 750 Food and Drug Administration as provided by the federal Food and

751 Drug Administration. Licensees shall provide the information to
752 the department promptly upon request. The board may adopt rules
753 necessary to implement and administer this section.

754 Section 12. Subsections (13) and (14) of section 467.003,
755 Florida Statutes, are renumbered as subsections (14) and (15),
756 respectively, subsections (1) and (12) are amended, and a new
757 subsection (13) is added to that section, to read:

758 467.003 Definitions.—As used in this chapter, unless the
759 context otherwise requires:

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

763 (12) "Preceptor" means a physician licensed under chapter
764 458 or chapter 459, a ~~licensed~~ midwife licensed under this
765 chapter, or a certified nurse midwife licensed under chapter
766 464, who has a minimum of 3 years' professional experience, and
767 who directs, teaches, supervises, and evaluates the learning
768 experiences of a the student midwife as part of an approved
769 midwifery program.

770 (13) "Prelicensure course" means a course of study,
771 offered by an accredited midwifery program and approved by the
772 department, which an applicant for licensure must complete
773 before a license may be issued and which provides instruction in
774 the laws and rules of the state and demonstrates the student's
775 competency to practice midwifery under this chapter.

776 Section 13. Section 467.009, Florida Statutes, is amended
 777 to read:

778 467.009 Accredited and approved midwifery programs;
 779 education and training requirements.—

780 (1) The department shall adopt standards for accredited
 781 and approved midwifery programs, including, but not limited to,
 782 standards for all of the following:

783 (a) ~~The standards shall encompass~~ Clinical and classroom
 784 instruction in all aspects of prenatal, intrapartal, and
 785 postpartal care, including all of the following:

- 786 1. Obstetrics.†
- 787 2. Neonatal pediatrics.†
- 788 3. Basic sciences.†
- 789 4. Female reproductive anatomy and physiology.†
- 790 5. Behavioral sciences.†
- 791 6. Childbirth education.†
- 792 7. Community care.†
- 793 8. Epidemiology.†
- 794 9. Genetics.†
- 795 10. Embryology.†
- 796 11. Neonatology.†
- 797 12. Applied pharmacology.†
- 798 13. The medical and legal aspects of midwifery.†
- 799 14. Gynecology and women's health.†
- 800 15. Family planning.†

801 16. Nutrition during pregnancy and lactation.~~;~~

802 17. Breastfeeding.~~;~~ and

803 18. Basic nursing skills; ~~and any other instruction~~
 804 ~~determined by the department and council to be necessary.~~

805 (b) ~~The standards shall incorporate the~~ Core competencies,
 806 incorporating those established by the American College of Nurse
 807 Midwives and the Midwives Alliance of North America, including
 808 knowledge, skills, and professional behavior in all of the
 809 following areas:

810 1. Primary management, collaborative management, referral,
 811 and medical consultation.~~;~~

812 2. Antepartal, intrapartal, postpartal, and neonatal
 813 care.~~;~~

814 3. Family planning and gynecological care.~~;~~

815 4. Common complications.~~;~~ and

816 5. Professional responsibilities.

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

820 (2) An accredited and approved midwifery program must
 821 offer ~~shall include~~ a course of study ~~and clinical training~~ for
 822 a minimum of 3 years which incorporates all of the standards,
 823 curriculum guidelines, and educational objectives provided in
 824 this section and the rules adopted hereunder.

825 (3) An accredited and approved midwifery program may

826 ~~reduce~~ ~~If the applicant is a registered nurse or a licensed~~
827 ~~practical nurse or has previous nursing or midwifery education,~~
828 ~~the required period of training may be reduced to the extent of~~
829 ~~the student's applicant's qualifications as a registered nurse~~
830 ~~or licensed practical nurse or based on prior completion of~~
831 ~~equivalent nursing or midwifery education,~~ as determined under
832 ~~rules adopted by the department rule.~~ In no case shall the
833 ~~training be reduced to a period of less than 2 years.~~

834 ~~(4)-(3)~~ An accredited and approved midwifery program may
835 accept students who ~~To be accepted into an approved midwifery~~
836 ~~program, an applicant shall have both:~~

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

838 (b) Taken three college-level credits each of math and
839 English or demonstrated competencies in communication and
840 computation.

841 ~~(5)-(4)~~ As part of its course of study, an accredited and
842 approved midwifery program must require clinical training that
843 includes all of the following:

844 ~~(a) A student midwife, during training, shall undertake,~~
845 ~~under the supervision of a preceptor,~~ The care of 50 women in
846 each of the prenatal, intrapartal, and postpartal periods under
847 the supervision of a preceptor., ~~but~~ The same women need not be
848 seen through all three periods.

849 ~~(b)-(5)~~ Observation of ~~The student midwife shall observe an~~
850 ~~additional 25 women in the intrapartal period before qualifying~~

851 ~~for a license.~~

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

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

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

860 (7) A hospital or birthing center receiving public funds
861 shall be required to provide student midwives access to observe
862 labor, delivery, and postpartal procedures, provided the woman
863 in labor has given informed consent. The Department of Health
864 shall assist in facilitating access to hospital training for
865 accredited and approved midwifery programs.

866 (8) ~~(7)~~ The Department of Education shall adopt curricular
867 frameworks for midwifery programs offered by ~~conducted within~~
868 public educational institutions under ~~pursuant to~~ this section.

869 ~~(8) Nonpublic educational institutions that conduct~~
870 ~~approved midwifery programs shall be accredited by a member of~~
871 ~~the Commission on Recognition of Postsecondary Accreditation and~~
872 ~~shall be licensed by the Commission for Independent Education.~~

873 Section 14. Section 467.011, Florida Statutes, is amended
874 to read:

875 467.011 Licensed midwives; qualifications; examination

876 ~~Licensure by examination.~~

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

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

883 ~~(3)~~ The department shall issue a license to practice
 884 midwifery to an applicant who meets all of the following
 885 criteria:

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

888 (a) An accredited and approved midwifery program.

889 (b) A medical or midwifery program offered in another
 890 state, jurisdiction, territory, or country whose graduation
 891 requirements were equivalent to or exceeded those required by s.
 892 467.009 and the rules adopted thereunder at the time of
 893 graduation.

894 (2) Demonstrates that he or she has ~~and~~ successfully
 895 completed a prelicensure course offered by an accredited and
 896 approved midwifery program. Students graduating from an
 897 accredited and approved midwifery program may meet this
 898 requirement by showing that the content requirements for the
 899 prelicensure course were covered as part of their course of
 900 study.

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

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

906 Section 15. Section 467.0125, Florida Statutes, is amended
 907 to read:

908 467.0125 Licensed midwives; qualifications; Licensure by
 909 endorsement; temporary certificates.-

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

914 (a)1. ~~Holds a valid certificate or diploma from a foreign~~
 915 ~~institution of medicine or midwifery or from a midwifery program~~
 916 ~~offered in another state, bearing the seal of the institution or~~
 917 ~~otherwise authenticated, which renders the individual eligible~~
 918 ~~to practice midwifery in the country or state in which it was~~
 919 ~~issued, provided the requirements therefor are deemed by the~~
 920 ~~department to be substantially equivalent to, or to exceed,~~
 921 ~~those established under this chapter and rules adopted under~~
 922 ~~this chapter, and submits therewith a certified translation of~~
 923 ~~the foreign certificate or diploma; or~~

924 2. Holds an active, unencumbered ~~a valid certificate or~~
 925 ~~license to practice midwifery in another state,~~ jurisdiction, or

926 ~~territory issued by that state,~~ provided the licensing
 927 requirements of that state, jurisdiction, or territory at the
 928 time the license was issued were ~~therefor are deemed by the~~
 929 ~~department to be~~ substantially equivalent to, or exceeded ~~to~~
 930 ~~exceed,~~ those established under this chapter and the rules
 931 adopted hereunder ~~under this chapter.~~

932 (b) Has successfully completed a ~~4-month~~ prelicensure
 933 course conducted by an accredited and approved midwifery program
 934 and ~~has submitted documentation to the department of successful~~
 935 ~~completion.~~

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

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

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

948 (b) Specifies on the application that he or she will ~~The~~
 949 ~~Department of Health shall determine the areas of critical need,~~
 950 ~~and the midwife so certified shall practice only in~~ one or more

951 of the following locations:

952 1. A county health department.

953 2. A correctional facility.

954 3. A United States Department of Veterans Affairs clinic.

955 4. A community health center funded by s. 329, s. 330, or
 956 s. 340 of the Public Health Service Act.

957 5. Any other agency or institution that is approved by the
 958 State Surgeon General and provides health care to meet the needs
 959 of an underserved population in this state.

960 (c) Will practice only those specific areas, under the
 961 supervision auspices of a physician licensed under pursuant to
 962 chapter 458 or chapter 459, a certified nurse midwife licensed
 963 under pursuant to part I of chapter 464, or a midwife licensed
 964 under this chapter, who has a minimum of 3 years' professional
 965 experience.

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

968 (a) A requirement that a temporary certificateholder
 969 practice only in areas of critical need. The State Surgeon
 970 General shall determine the areas of critical need, which ~~such~~
 971 areas shall include, but are not ~~be~~ limited to, health
 972 professional shortage areas designated by the United States
 973 Department of Health and Human Services.

974 (b) A requirement that if a temporary certificateholder's
 975 practice area ceases to be an area of critical need, within 30

976 days after such change the certificateholder must either:
 977 1. Report a new practice area of critical need to the
 978 department; or
 979 2. Voluntarily relinquish the temporary certificate.
 980 (4) The department shall review a temporary
 981 certificateholder's practice at least annually to determine
 982 whether the certificateholder is meeting the requirements of
 983 subsections (2) and (3) and the rules adopted thereunder. If the
 984 department determines that a certificateholder is not meeting
 985 these requirements, the department must revoke the temporary
 986 certificate.
 987 (5) A temporary certificate issued under this section is
 988 shall be valid only as long as an area for which it is issued
 989 remains an area of critical need, but no longer than 2 years,
 990 and is shall not be renewable.
 991 ~~(c) The department may administer an abbreviated oral~~
 992 ~~examination to determine the midwife's competency, but no~~
 993 ~~written regular examination shall be necessary.~~
 994 ~~(d) The department shall not issue a temporary certificate~~
 995 ~~to any midwife who is under investigation in another state for~~
 996 ~~an act which would constitute a violation of this chapter until~~
 997 ~~such time as the investigation is complete, at which time the~~
 998 ~~provisions of this section shall apply.~~
 999 ~~(e) The department shall review the practice under a~~
 1000 ~~temporary certificate at least annually to ascertain that the~~

1001 ~~minimum requirements of the midwifery rules promulgated under~~
1002 ~~this chapter are being met. If it is determined that the minimum~~
1003 ~~requirements are not being met, the department shall immediately~~
1004 ~~revoke the temporary certificate.~~

1005 ~~(f) The fee for a temporary certificate shall not exceed~~
1006 ~~\$50 and shall be in addition to the fee required for licensure.~~

1007 Section 16. Section 467.205, Florida Statutes, is amended
1008 to read:

1009 467.205 Approval of midwifery programs.—

1010 (1) The department must approve an accredited or state-
1011 licensed public or private institution seeking to provide
1012 midwifery education and training as an approved midwifery
1013 program in the state if the institution meets all of the
1014 following criteria:

1015 (a) Submits an application for approval on a form approved
1016 by the department.

1017 (b) Demonstrates to the department's satisfaction that the
1018 proposed midwifery program complies with s. 467.009 and the
1019 rules adopted thereunder.

1020 (c) For a private institution, demonstrates its
1021 accreditation by a member of the Council for Higher Education
1022 Accreditation or an accrediting agency approved by the United
1023 States Department of Education as an institutional accrediting
1024 agency for direct-entry midwifery education programs or an
1025 accrediting agency approved by the United States Department of

1026 Education and its licensing or provisional licensing by the
1027 Commission for Independent Education ~~An organization desiring to~~
1028 ~~conduct an approved program for the education of midwives shall~~
1029 ~~apply to the department and submit such evidence as may be~~
1030 ~~required to show that it complies with s. 467.009 and with the~~
1031 ~~rules of the department. Any accredited or state-licensed~~
1032 ~~institution of higher learning, public or private, may provide~~
1033 ~~midwifery education and training.~~

1034 ~~(2) The department shall adopt rules regarding educational~~
1035 ~~objectives, faculty qualifications, curriculum guidelines,~~
1036 ~~administrative procedures, and other training requirements as~~
1037 ~~are necessary to ensure that approved programs graduate midwives~~
1038 ~~competent to practice under this chapter.~~

1039 ~~(3) The department shall survey each organization applying~~
1040 ~~for approval. If the department is satisfied that the program~~
1041 ~~meets the requirements of s. 467.009 and rules adopted pursuant~~
1042 ~~to that section, it shall approve the program.~~

1043 (2)(4) The department shall, at least once every 3 years,
1044 certify whether each approved midwifery program is currently
1045 compliant, and has maintained compliance, ~~complies~~ with the
1046 requirements of standards developed under s. 467.009 and the
1047 rules adopted thereunder.

1048 (3)(5) If the department finds that an approved midwifery
1049 program is not in compliance with the requirements of s. 467.009
1050 or the rules adopted thereunder, or has lost its accreditation

1051 status, the department must provide its finding to the program
1052 in writing and ~~no longer meets the required standards, it may~~
1053 place the program on probationary status for a specified period
1054 of time, which may not exceed 3 years ~~until such time as the~~
1055 ~~standards are restored.~~

1056 (4) If a program on probationary status does not come into
1057 compliance with the requirements of s. 467.009 or the rules
1058 adopted thereunder, or regain its accreditation status, as
1059 applicable, within the period specified by the department ~~fails~~
1060 ~~to correct these conditions within a specified period of time,~~
1061 the department may rescind the program's approval.

1062 (5) A ~~Any~~ program that has ~~having~~ its approval rescinded
1063 has ~~shall have~~ the right to reapply for approval.

1064 (6) The department may grant provisional approval of a new
1065 program seeking accreditation status, for a period not to exceed
1066 5 years, provided that all other requirements of this section
1067 are met.

1068 (7) The department may rescind provisional approval of a
1069 program that fails to meet the requirements of s. 467.009, this
1070 section, or the rules adopted thereunder, in accordance with
1071 procedures provided in subsections (3) and (4) ~~may be granted~~
1072 ~~pending the licensure results of the first graduating class.~~

1073 Section 17. Subsections (2), (3), and (4) and paragraphs
1074 (a) and (b) of subsection (5) of section 468.803, Florida
1075 Statutes, are amended to read:

1076 468.803 License, registration, and examination
1077 requirements.—

1078 (2) An applicant for registration, examination, or
1079 licensure must apply to the department on a form prescribed by
1080 the board for consideration of board approval. Each initial
1081 applicant shall submit ~~a set of~~ fingerprints to the department
1082 in accordance with ~~on a form and under~~ procedures specified by
1083 the department, ~~along with payment in an amount equal to the~~
1084 ~~costs incurred by the department~~ for state and national criminal
1085 history checks of the applicant. ~~The department shall submit the~~
1086 ~~fingerprints provided by an applicant to the Department of Law~~
1087 ~~Enforcement for a statewide criminal history check, and the~~
1088 ~~Department of Law Enforcement shall forward the fingerprints to~~
1089 ~~the Federal Bureau of Investigation for a national criminal~~
1090 ~~history check of the applicant.~~ The board shall screen the
1091 results to determine if an applicant meets licensure
1092 requirements. The board shall consider for examination,
1093 registration, or licensure each applicant whom ~~who~~ the board
1094 verifies:

1095 (a) Has submitted the completed application and completed
1096 the fingerprinting requirements ~~fingerprint forms~~ and has paid
1097 the applicable application fee, not to exceed \$500, ~~and the cost~~
1098 ~~of the state and national criminal history checks.~~ The
1099 application fee is ~~and cost of the criminal history checks shall~~
1100 ~~be~~ nonrefundable;

1101 (b) Is of good moral character;
 1102 (c) Is 18 years of age or older; and
 1103 (d) Has completed the appropriate educational preparation.
 1104 (3) A person seeking to attain the orthotics or
 1105 prosthetics experience required for licensure in this state must
 1106 be approved by the board and registered as a resident by the
 1107 department. Although a registration may be held in both
 1108 disciplines, for independent registrations the board may not
 1109 approve a second registration until at least 1 year after the
 1110 issuance of the first registration. Notwithstanding subsection
 1111 (2), a person who has been approved by the board and registered
 1112 by the department in one discipline may apply for registration
 1113 in the second discipline without an additional state or national
 1114 criminal history check during the period in which the first
 1115 registration is valid. Each independent registration or dual
 1116 registration is valid for 2 years after the date of issuance
 1117 unless otherwise revoked by the department upon recommendation
 1118 of the board. The board shall set a registration fee not to
 1119 exceed \$500 to be paid by the applicant. A registration may be
 1120 renewed once by the department upon recommendation of the board
 1121 for a period no longer than 1 year, as such renewal is defined
 1122 by ~~the board~~ by rule. The renewal fee may not exceed one-half
 1123 the current registration fee. To be considered by the board for
 1124 approval of registration as a resident, the applicant must have
 1125 one of the following:

1126 (a) A Bachelor of Science or higher-level postgraduate
1127 degree in orthotics and prosthetics from an ~~a regionally~~
1128 accredited college or university recognized by the Commission on
1129 Accreditation of Allied Health Education Programs.

1130 (b) A minimum of a bachelor's degree from an
1131 institutionally ~~a regionally~~ accredited college or university
1132 and a certificate in orthotics or prosthetics from a program
1133 recognized by the Commission on Accreditation of Allied Health
1134 Education Programs, or its equivalent, as determined by the
1135 board.

1136 (c) A minimum of a bachelor's degree from an
1137 institutionally ~~a regionally~~ accredited college or university
1138 and a dual certificate in both orthotics and prosthetics from
1139 programs recognized by the Commission on Accreditation of Allied
1140 Health Education Programs, or its equivalent, as determined by
1141 the board.

1142 (4) The department may develop and administer a state
1143 examination for an orthotist or a prosthetist license, or the
1144 board may approve the existing examination of a national
1145 standards organization. The examination must be predicated on a
1146 minimum of a baccalaureate-level education and formalized
1147 specialized training in the appropriate field. Each examination
1148 must demonstrate a minimum level of competence in basic
1149 scientific knowledge, written problem solving, and practical
1150 clinical patient management. The board shall require an

1151 examination fee not to exceed the actual cost to the board in
1152 developing, administering, and approving the examination, which
1153 fee must be paid by the applicant. To be considered by the board
1154 for examination, the applicant must have:

1155 (a) For an examination in orthotics:

1156 1. A Bachelor of Science or higher-level postgraduate
1157 degree in orthotics and prosthetics from an institutionally a
1158 ~~regionally~~ accredited college or university recognized by the
1159 Commission on Accreditation of Allied Health Education Programs
1160 or, at a minimum, a bachelor's degree from an institutionally a
1161 ~~regionally~~ accredited college or university and a certificate in
1162 orthotics from a program recognized by the Commission on
1163 Accreditation of Allied Health Education Programs, or its
1164 equivalent, as determined by the board; and

1165 2. An approved orthotics internship of 1 year of qualified
1166 experience, as determined by the board, or an orthotic residency
1167 or dual residency program recognized by the board.

1168 (b) For an examination in prosthetics:

1169 1. A Bachelor of Science or higher-level postgraduate
1170 degree in orthotics and prosthetics from an institutionally a
1171 ~~regionally~~ accredited college or university recognized by the
1172 Commission on Accreditation of Allied Health Education Programs
1173 or, at a minimum, a bachelor's degree from an institutionally a
1174 ~~regionally~~ accredited college or university and a certificate in
1175 prosthetics from a program recognized by the Commission on

1176 Accreditation of Allied Health Education Programs, or its
 1177 equivalent, as determined by the board; and

1178 2. An approved prosthetics internship of 1 year of
 1179 qualified experience, as determined by the board, or a
 1180 prosthetic residency or dual residency program recognized by the
 1181 board.

1182 (5) In addition to the requirements in subsection (2), to
 1183 be licensed as:

1184 (a) An orthotist, the applicant must pay a license fee not
 1185 to exceed \$500 and must have:

1186 1. A Bachelor of Science or higher-level postgraduate
 1187 degree in orthotics and prosthetics from an institutionally a
 1188 ~~regionally~~ accredited college or university recognized by the
 1189 Commission on Accreditation of Allied Health Education Programs,
 1190 or a bachelor's degree from an institutionally accredited
 1191 college or university and ~~with~~ a certificate in orthotics from a
 1192 program recognized by the Commission on Accreditation of Allied
 1193 Health Education Programs, or its equivalent, as determined by
 1194 the board;

1195 2. An approved ~~appropriate~~ internship of 1 year of
 1196 qualified experience, as determined by the board, or a residency
 1197 program recognized by the board;

1198 3. Completed the mandatory courses; and

1199 4. Passed the state orthotics examination or the board-
 1200 approved orthotics examination.

1201 (b) A prosthetist, the applicant must pay a license fee
 1202 not to exceed \$500 and must have:

1203 1. A Bachelor of Science or higher-level postgraduate
 1204 degree in orthotics and prosthetics from an institutionally a
 1205 ~~regionally~~ accredited college or university recognized by the
 1206 Commission on Accreditation of Allied Health Education Programs,
 1207 or a bachelor's degree from an institutionally accredited
 1208 college or university and ~~with~~ a certificate in prosthetics from
 1209 a program recognized by the Commission on Accreditation of
 1210 Allied Health Education Programs, or its equivalent, as
 1211 determined by the board;

1212 2. An internship of 1 year of qualified experience, as
 1213 determined by the board, or a residency program recognized by
 1214 the board;

1215 3. Completed the mandatory courses; and

1216 4. Passed the state prosthetics examination or the board-
 1217 approved prosthetics examination.

1218 Section 18. Section 483.824, Florida Statutes, is amended
 1219 to read:

1220 483.824 Qualifications of clinical laboratory director.—A
 1221 clinical laboratory director must have 4 years of clinical
 1222 laboratory experience with 2 years of experience in the
 1223 specialty to be directed or be nationally board certified in the
 1224 specialty to be directed, and must meet one of the following
 1225 requirements:

1226 (1) Be a physician licensed under chapter 458 or chapter
 1227 459;

1228 (2) Hold an earned doctoral degree in a chemical,
 1229 physical, or biological science from an ~~a regionally~~ accredited
 1230 institution and maintain national certification requirements
 1231 equal to those required by the federal Health Care Financing
 1232 Administration; or

1233 (3) For the subspecialty of oral pathology, be a physician
 1234 licensed under chapter 458 or chapter 459 or a dentist licensed
 1235 under chapter 466.

1236 Section 19. Subsection (3) of section 490.003, Florida
 1237 Statutes, is amended to read:

1238 490.003 Definitions.—As used in this chapter:

1239 (3)(a) "Doctoral degree from an American Psychological
 1240 Association accredited program" means ~~Effective July 1, 1999,~~
 1241 ~~"doctoral-level psychological education" and "doctoral degree in~~
 1242 ~~psychology"~~ mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in
 1243 psychology from a psychology program at an educational
 1244 institution that, at the time the applicant was enrolled and
 1245 graduated:

1246 1.(a) Had institutional accreditation from an agency
 1247 recognized and approved by the United States Department of
 1248 Education or was recognized as a member in good standing with
 1249 the Association of Universities and Colleges of Canada; and

1250 2.(b) Had programmatic accreditation from the American

1251 Psychological Association.

1252 (b) "Doctoral degree in psychology" means a Psy.D., an
1253 Ed.D. in psychology, or a Ph.D. in psychology from a psychology
1254 program at an educational institution that, at the time the
1255 applicant was enrolled and graduated, had institutional
1256 accreditation from an agency recognized and approved by the
1257 United States Department of Education or was recognized as a
1258 member in good standing with the Association of Universities and
1259 Colleges of Canada.

1260 Section 20. Subsection (1) of section 490.005, Florida
1261 Statutes, is amended to read:

1262 490.005 Licensure by examination.—

1263 (1) Any person desiring to be licensed as a psychologist
1264 shall apply to the department to take the licensure examination.
1265 The department shall license each applicant whom ~~who~~ the board
1266 certifies has met all of the following requirements:

1267 (a) Completed the application form and remitted a
1268 nonrefundable application fee not to exceed \$500 and an
1269 examination fee set by the board sufficient to cover the actual
1270 per applicant cost to the department for development, purchase,
1271 and administration of the examination, but not to exceed \$500.

1272 (b) Submitted proof satisfactory to the board that the
1273 applicant has received:

1274 1. A doctoral degree from an American Psychological
1275 Association accredited program ~~Doctoral-level psychological~~

1276 ~~education; or~~

1277 2. The equivalent of a doctoral degree from an American
 1278 Psychological Association accredited program ~~doctoral-level~~
 1279 ~~psychological education, as defined in s. 490.003(3),~~ from a
 1280 ~~program at~~ a school or university located outside the United
 1281 States of America which was officially recognized by the
 1282 government of the country in which it is located as an
 1283 institution or program to train students to practice
 1284 professional psychology. The applicant has the burden of
 1285 establishing that this requirement has been met.

1286 (c) Had at least 2 years or 4,000 hours of experience in
 1287 the field of psychology in association with or under the
 1288 supervision of a licensed psychologist meeting the academic and
 1289 experience requirements of this chapter or the equivalent as
 1290 determined by the board. The experience requirement may be met
 1291 by work performed on or off the premises of the supervising
 1292 psychologist if the off-premises work is not the independent,
 1293 private practice rendering of psychological services that does
 1294 not have a psychologist as a member of the group actually
 1295 rendering psychological services on the premises.

1296 (d) Passed the examination. However, an applicant who has
 1297 obtained a passing score, as established by the board by rule,
 1298 on the psychology licensure examination designated by the board
 1299 as the national licensure examination need only pass the Florida
 1300 law and rules portion of the examination.

1301 Section 21. Subsection (1) of section 490.0051, Florida
 1302 Statutes, is amended to read:

1303 490.0051 Provisional licensure; requirements.—

1304 (1) The department shall issue a provisional psychology
 1305 license to each applicant who the board certifies has:

1306 (a) Completed the application form and remitted a
 1307 nonrefundable application fee not to exceed \$250, as set by
 1308 board rule.

1309 (b) Earned a doctoral degree from an American
 1310 Psychological Association accredited program in psychology as
 1311 defined in s. 490.003(3).

1312 (c) Met any additional requirements established by board
 1313 rule.

1314 Section 22. Subsections (1), (3), and (4) of section
 1315 491.005, Florida Statutes, are amended to read:

1316 491.005 Licensure by examination.—

1317 (1) CLINICAL SOCIAL WORK.—Upon verification of
 1318 documentation and payment of a fee not to exceed \$200, as set by
 1319 board rule, ~~plus the actual per applicant cost to the department~~
 1320 ~~for purchase of the examination from the American Association of~~
 1321 ~~State Social Worker's Boards or a similar national organization,~~
 1322 the department shall issue a license as a clinical social worker
 1323 to an applicant whom ~~who~~ the board certifies has met all of the
 1324 following criteria:

1325 (a) ~~Has~~ Submitted an application and paid the appropriate

1326 fee.

1327 (b)1. ~~Has~~ Received a doctoral degree in social work from a
 1328 graduate school of social work which at the time the applicant
 1329 graduated was accredited by an accrediting agency recognized by
 1330 the United States Department of Education or ~~has~~ received a
 1331 master's degree in social work from a graduate school of social
 1332 work which at the time the applicant graduated:

1333 a. Was accredited by the Council on Social Work Education;

1334 b. Was accredited by the Canadian Association of Schools
 1335 of Social Work; or

1336 c. Has been determined to have been a program equivalent
 1337 to programs approved by the Council on Social Work Education by
 1338 the Foreign Equivalency Determination Service of the Council on
 1339 Social Work Education. An applicant who graduated from a program
 1340 at a university or college outside of the United States or
 1341 Canada must present documentation of the equivalency
 1342 determination from the council in order to qualify.

1343 2. The applicant's graduate program must have emphasized
 1344 direct clinical patient or client health care services,
 1345 including, but not limited to, coursework in clinical social
 1346 work, psychiatric social work, medical social work, social
 1347 casework, psychotherapy, or group therapy. The applicant's
 1348 graduate program must have included all of the following
 1349 coursework:

1350 a. A supervised field placement which was part of the

1351 applicant's advanced concentration in direct practice, during
 1352 which the applicant provided clinical services directly to
 1353 clients.

1354 b. Completion of 24 semester hours or 32 quarter hours in
 1355 theory of human behavior and practice methods as courses in
 1356 clinically oriented services, including a minimum of one course
 1357 in psychopathology, and no more than one course in research,
 1358 taken in a school of social work accredited or approved pursuant
 1359 to subparagraph 1.

1360 3. If the course title which appears on the applicant's
 1361 transcript does not clearly identify the content of the
 1362 coursework, the applicant shall be required to provide
 1363 additional documentation, including, but not limited to, a
 1364 syllabus or catalog description published for the course.

1365 (c) ~~Has~~ Had at least 2 years of clinical social work
 1366 experience, which took place subsequent to completion of a
 1367 graduate degree in social work at an institution meeting the
 1368 accreditation requirements of this section, under the
 1369 supervision of a licensed clinical social worker or the
 1370 equivalent who is a qualified supervisor as determined by the
 1371 board. An individual who intends to practice in Florida to
 1372 satisfy clinical experience requirements must register pursuant
 1373 to s. 491.0045 before commencing practice. If the applicant's
 1374 graduate program was not a program which emphasized direct
 1375 clinical patient or client health care services as described in

1376 subparagraph (b)2., the supervised experience requirement must
1377 take place after the applicant has completed a minimum of 15
1378 semester hours or 22 quarter hours of the coursework required. A
1379 doctoral internship may be applied toward the clinical social
1380 work experience requirement. A licensed mental health
1381 professional must be on the premises when clinical services are
1382 provided by a registered intern in a private practice setting.

1383 (d) ~~Has~~ Passed a theory and practice examination
1384 designated by board rule ~~provided by the department for this~~
1385 ~~purpose.~~

1386 (e) ~~Has~~ Demonstrated, in a manner designated by board rule
1387 ~~of the board~~, knowledge of the laws and rules governing the
1388 practice of clinical social work, marriage and family therapy,
1389 and mental health counseling.

1390 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
1391 documentation and payment of a fee not to exceed \$200, as set by
1392 board rule, ~~plus the actual cost of the purchase of the~~
1393 ~~examination from the Association of Marital and Family Therapy~~
1394 ~~Regulatory Board, or similar national organization,~~ the
1395 department shall issue a license as a marriage and family
1396 therapist to an applicant who the board certifies has met all of
1397 the following criteria:

1398 (a) ~~Has~~ Submitted an application and paid the appropriate
1399 fee.

1400 (b) 1. Attained one of the following:

1401 a. A minimum of a master's degree in marriage and family
 1402 therapy from a program accredited by the Commission on
 1403 Accreditation for Marriage and Family Therapy Education;

1404 b. A minimum of a master's degree with a major emphasis in
 1405 marriage and family therapy or a closely related field from a
 1406 university program accredited by the Council on Accreditation of
 1407 Counseling and Related Educational Programs and graduate courses
 1408 approved by the board; or

1409 c. ~~Has~~ A minimum of a master's degree with an major
 1410 emphasis in marriage and family therapy or a closely related
 1411 field, with a degree conferred before September 1, 2027, from an
 1412 institutionally accredited college or university ~~from a program~~
 1413 ~~accredited by the Commission on Accreditation for Marriage and~~
 1414 ~~Family Therapy Education or from a Florida university program~~
 1415 ~~accredited by the Council for Accreditation of Counseling and~~
 1416 ~~Related Educational Programs~~ and graduate courses approved by
 1417 the board of Clinical Social Work, Marriage and Family Therapy,
 1418 and Mental Health Counseling.

1419 2. If the course title that appears on the applicant's
 1420 transcript does not clearly identify the content of the
 1421 coursework, the applicant must ~~shall~~ provide additional
 1422 documentation, including, but not limited to, a syllabus or
 1423 catalog description published for the course. The required
 1424 master's degree must have been received in an institution of
 1425 higher education that, at the time the applicant graduated, was

1426 fully accredited by an institutional ~~a regional~~ accrediting body
1427 recognized by the Council for Higher Education Accreditation or
1428 its successor organization ~~Commission on Recognition of~~
1429 ~~Postsecondary Accreditation~~ or publicly recognized as a member
1430 in good standing with the Association of Universities and
1431 Colleges of Canada, or an institution of higher education
1432 located outside the United States and Canada which, at the time
1433 the applicant was enrolled and at the time the applicant
1434 graduated, maintained a standard of training substantially
1435 equivalent to the standards of training of those institutions in
1436 the United States which are accredited by an institutional ~~a~~
1437 ~~regional~~ accrediting body recognized by the Council for Higher
1438 Education Accreditation or its successor organization ~~Commission~~
1439 ~~on Recognition of Postsecondary Accreditation~~. Such foreign
1440 education and training must have been received in an institution
1441 or program of higher education officially recognized by the
1442 government of the country in which it is located as an
1443 institution or program to train students to practice as
1444 professional marriage and family therapists or psychotherapists.
1445 The applicant has the burden of establishing that the
1446 requirements of this provision have been met, and the board
1447 shall require documentation, such as an evaluation by a foreign
1448 equivalency determination service, as evidence that the
1449 applicant's graduate degree program and education were
1450 equivalent to an accredited program in this country. An

1451 applicant with a master's degree from a program that did not
1452 emphasize marriage and family therapy may complete the
1453 coursework requirement in a training institution fully
1454 accredited by the Commission on Accreditation for Marriage and
1455 Family Therapy Education recognized by the United States
1456 Department of Education.

1457 (c) Completed ~~Has had~~ at least 2 years of clinical
1458 experience during which 50 percent of the applicant's clients
1459 were receiving marriage and family therapy services, which must
1460 have been ~~be~~ at the post-master's level under the supervision of
1461 a licensed marriage and family therapist with at least 5 years
1462 of experience, or the equivalent, who is a qualified supervisor
1463 as determined by the board. An individual who intends to
1464 practice in Florida to satisfy the clinical experience
1465 requirements must register pursuant to s. 491.0045 before
1466 commencing practice. If a graduate has a master's degree with a
1467 major emphasis in marriage and family therapy or a closely
1468 related field which did not include all of the coursework
1469 required by paragraph (b), credit for the post-master's level
1470 clinical experience may not commence until the applicant has
1471 completed a minimum of 10 of the courses required by paragraph
1472 (b), as determined by the board, and at least 6 semester hours
1473 or 9 quarter hours of the course credits must have been
1474 completed in the area of marriage and family systems, theories,
1475 or techniques. Within the 2 years of required experience, the

1476 applicant must ~~shall~~ provide direct individual, group, or family
 1477 therapy and counseling to cases including those involving
 1478 unmarried dyads, married couples, separating and divorcing
 1479 couples, and family groups that include children. A doctoral
 1480 internship may be applied toward the clinical experience
 1481 requirement. A licensed mental health professional must be on
 1482 the premises when clinical services are provided by a registered
 1483 intern in a private practice setting.

1484 (d) ~~Has~~ Passed a theory and practice examination
 1485 designated ~~provided~~ by board rule ~~the department~~.

1486 (e) ~~Has~~ Demonstrated, in a manner designated by board
 1487 rule, knowledge of the laws and rules governing the practice of
 1488 clinical social work, marriage and family therapy, and mental
 1489 health counseling.

1490
 1491 For the purposes of dual licensure, the department shall license
 1492 as a marriage and family therapist any person who meets the
 1493 requirements of s. 491.0057. Fees for dual licensure may not
 1494 exceed those stated in this subsection.

1495 (4) MENTAL HEALTH COUNSELING.—Upon verification of
 1496 documentation and payment of a fee not to exceed \$200, as set by
 1497 board rule, ~~plus the actual per applicant cost of purchase of~~
 1498 ~~the examination from the National Board for Certified Counselors~~
 1499 ~~or its successor organization,~~ the department shall issue a
 1500 license as a mental health counselor to an applicant who the

1501 board certifies has met all of the following criteria:

1502 (a) ~~Has~~ Submitted an application and paid the appropriate
1503 fee.

1504 (b)1. Attained ~~Has~~ a minimum of an earned master's degree
1505 from a mental health counseling program accredited by the
1506 Council for the Accreditation of Counseling and Related
1507 Educational Programs which consists of at least 60 semester
1508 hours or 80 quarter hours of clinical and didactic instruction,
1509 including a course in human sexuality and a course in substance
1510 abuse. If the master's degree is earned from a program related
1511 to the practice of mental health counseling which is not
1512 accredited by the Council for the Accreditation of Counseling
1513 and Related Educational Programs, then the coursework and
1514 practicum, internship, or fieldwork must consist of at least 60
1515 semester hours or 80 quarter hours and meet all of the following
1516 requirements:

1517 a. Thirty-three semester hours or 44 quarter hours of
1518 graduate coursework, which must include a minimum of 3 semester
1519 hours or 4 quarter hours of graduate-level coursework in each of
1520 the following 11 content areas: counseling theories and
1521 practice; human growth and development; diagnosis and treatment
1522 of psychopathology; human sexuality; group theories and
1523 practice; individual evaluation and assessment; career and
1524 lifestyle assessment; research and program evaluation; social
1525 and cultural foundations; substance abuse; and legal, ethical,

1526 and professional standards issues in the practice of mental
1527 health counseling. Courses in research, thesis or dissertation
1528 work, practicums, internships, or fieldwork may not be applied
1529 toward this requirement.

1530 b. A minimum of 3 semester hours or 4 quarter hours of
1531 graduate-level coursework addressing diagnostic processes,
1532 including differential diagnosis and the use of the current
1533 diagnostic tools, such as the current edition of the American
1534 Psychiatric Association's Diagnostic and Statistical Manual of
1535 Mental Disorders. The graduate program must have emphasized the
1536 common core curricular experience.

1537 c. The equivalent, as determined by the board, of at least
1538 700 hours of university-sponsored supervised clinical practicum,
1539 internship, or field experience that includes at least 280 hours
1540 of direct client services, as required in the accrediting
1541 standards of the Council for Accreditation of Counseling and
1542 Related Educational Programs for mental health counseling
1543 programs. This experience may not be used to satisfy the post-
1544 master's clinical experience requirement.

1545 2. ~~Has~~ Provided additional documentation if a course title
1546 that appears on the applicant's transcript does not clearly
1547 identify the content of the coursework. The documentation must
1548 include, but is not limited to, a syllabus or catalog
1549 description published for the course.

1550

1551 Education and training in mental health counseling must have
1552 been received in an institution of higher education that, at the
1553 time the applicant graduated, was fully accredited by an
1554 institutional ~~a regional~~ accrediting body recognized by the
1555 Council for Higher Education Accreditation or its successor
1556 organization or publicly recognized as a member in good standing
1557 with the Association of Universities and Colleges of Canada, or
1558 an institution of higher education located outside the United
1559 States and Canada which, at the time the applicant was enrolled
1560 and at the time the applicant graduated, maintained a standard
1561 of training substantially equivalent to the standards of
1562 training of those institutions in the United States which are
1563 accredited by an institutional ~~a regional~~ accrediting body
1564 recognized by the Council for Higher Education Accreditation or
1565 its successor organization. Such foreign education and training
1566 must have been received in an institution or program of higher
1567 education officially recognized by the government of the country
1568 in which it is located as an institution or program to train
1569 students to practice as mental health counselors. The applicant
1570 has the burden of establishing that the requirements of this
1571 provision have been met, and the board shall require
1572 documentation, such as an evaluation by a foreign equivalency
1573 determination service, as evidence that the applicant's graduate
1574 degree program and education were equivalent to an accredited
1575 program in this country. Beginning July 1, 2025, an applicant

1576 must have a master's degree from a program that is accredited by
1577 the Council for Accreditation of Counseling and Related
1578 Educational Programs, the Masters in Psychology and Counseling
1579 Accreditation Council, or an equivalent accrediting body which
1580 consists of at least 60 semester hours or 80 quarter hours to
1581 apply for licensure under this paragraph.

1582 (c) ~~Has~~ Had at least 2 years of clinical experience in
1583 mental health counseling, which must be at the post-master's
1584 level under the supervision of a licensed mental health
1585 counselor or the equivalent who is a qualified supervisor as
1586 determined by the board. An individual who intends to practice
1587 in Florida to satisfy the clinical experience requirements must
1588 register pursuant to s. 491.0045 before commencing practice. If
1589 a graduate has a master's degree with a major related to the
1590 practice of mental health counseling which did not include all
1591 the coursework required under sub-subparagraphs (b)1.a. and b.,
1592 credit for the post-master's level clinical experience may not
1593 commence until the applicant has completed a minimum of seven of
1594 the courses required under sub-subparagraphs (b)1.a. and b., as
1595 determined by the board, one of which must be a course in
1596 psychopathology or abnormal psychology. A doctoral internship
1597 may be applied toward the clinical experience requirement. A
1598 licensed mental health professional must be on the premises when
1599 clinical services are provided by a registered intern in a
1600 private practice setting.

1601 (d) ~~Has~~ Passed a theory and practice examination
 1602 designated ~~provided~~ by board rule ~~the department for this~~
 1603 ~~purpose.~~

1604 (e) ~~Has~~ Demonstrated, in a manner designated by board
 1605 rule, knowledge of the laws and rules governing the practice of
 1606 clinical social work, marriage and family therapy, and mental
 1607 health counseling.

1608 Section 23. Subsection (6) and paragraph (c) of subsection
 1609 (9) of section 766.314, Florida Statutes, are amended to read:

1610 766.314 Assessments; plan of operation.—

1611 (6) (a) The association shall make all assessments required
 1612 by this section, except initial assessments of physicians
 1613 ~~licensed on or after October 1, 1988, which assessments will be~~
 1614 ~~made~~ by the Department of Health Business and Professional
 1615 ~~Regulation~~, and except assessments of casualty insurers pursuant
 1616 to subparagraph (5) (c) 1., which assessments will be made by the
 1617 Office of Insurance Regulation. ~~Beginning October 1, 1989, for~~
 1618 ~~any physician licensed between October 1 and December 31 of any~~
 1619 ~~year, the Department of Business and Professional Regulation~~
 1620 ~~shall make the initial assessment plus the assessment for the~~
 1621 ~~following calendar year.~~ The Department of Health Business and
 1622 ~~Professional Regulation~~ shall provide the association, in an
 1623 electronic format, with a monthly report ~~such frequency as~~
 1624 ~~determined to be necessary, a listing, in a computer-readable~~
 1625 ~~form~~, of the names and license numbers ~~addresses~~ of all

1626 physicians licensed under chapter 458 or chapter 459.

1627 (b)~~1~~. The association may enforce collection of
1628 assessments required to be paid pursuant to ss. 766.301-766.316
1629 by suit filed in county court. The association is ~~shall be~~
1630 entitled to an award of attorney's fees, costs, and interest
1631 upon the entry of a judgment against a physician for failure to
1632 pay such assessment, with such interest accruing until paid.
1633 Notwithstanding ~~the provisions of~~ chapters 47 and 48, the
1634 association may file such suit in either Leon County or the
1635 county of the residence of the defendant. The association shall
1636 notify the Department of Health and the applicable board of any
1637 unpaid final judgement against a physician within 7 days after
1638 the final judgement.

1639 ~~2. The Department of Business and Professional Regulation,~~
1640 ~~upon notification by the association that an assessment has not~~
1641 ~~been paid and that there is an unsatisfied judgment against a~~
1642 ~~physician, shall not renew any license to practice for such~~
1643 ~~physician issued pursuant to chapter 458 or chapter 459 until~~
1644 ~~such time as the judgment is satisfied in full.~~

1645 (c) The Agency for Health Care Administration shall, upon
1646 notification by the association that an assessment has not been
1647 timely paid, enforce collection of such assessments required to
1648 be paid by hospitals pursuant to ss. 766.301-766.316. Failure of
1649 a hospital to pay such assessment is grounds for disciplinary
1650 action pursuant to s. 395.1065 notwithstanding any ~~provision of~~

1651 law to the contrary.

1652 (9)

1653 (c) If ~~In the event~~ the total of all current estimates
1654 equals 80 percent of the funds on hand and the funds that will
1655 become available to the association within the next 12 months
1656 from all sources described in subsections (4) and (5) and
1657 paragraph (7)(a), the association may ~~shall~~ not accept any new
1658 claims without express authority from the Legislature. Nothing
1659 in this section precludes ~~herein shall preclude~~ the association
1660 from accepting any claim if the injury occurred 18 months or
1661 more before ~~prior to~~ the effective date of this suspension.
1662 Within 30 days after ~~of~~ the effective date of this suspension,
1663 the association shall notify the Governor, the Speaker of the
1664 House of Representatives, the President of the Senate, the
1665 Office of Insurance Regulation, the Agency for Health Care
1666 Administration, and the Department of Health, ~~and the Department~~
1667 ~~of Business and Professional Regulation~~ of this suspension.
1668 Section 24. This act shall take effect July 1, 2022.