

By the Committee on Health Policy; and Senator Rodriguez

588-02346-22

2022768c1

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 such devices
25 are safe for use; requiring medical marijuana
26 treatment centers to recall marijuana and marijuana
27 delivery devices, instead of just edibles, under
28 certain circumstances; exempting the department and
29 its employees from criminal provisions if they

588-02346-22

2022768c1

30 acquire, possess, test, transport, or lawfully dispose
31 of marijuana and marijuana delivery devices under
32 certain circumstances; amending s. 456.039, F.S.;
33 requiring certain applicants for licensure as
34 physicians to provide specified documentation to the
35 department at the time of application; amending s.
36 460.406, F.S.; revising provisions related to
37 chiropractic physician licensing; amending s. 464.008,
38 F.S.; deleting a requirement that certain nursing
39 program graduates complete a specified preparatory
40 course; amending s. 464.018, F.S.; revising grounds
41 for disciplinary action against licensed nurses;
42 amending s. 467.003, F.S.; revising and defining
43 terms; amending s. 467.009, F.S.; revising provisions
44 related to accredited and approved midwifery programs;
45 amending s. 467.011, F.S.; revising requirements for
46 licensure of midwives; amending s. 467.0125, F.S.;
47 revising requirements for licensure by endorsement of
48 midwives; revising requirements for temporary
49 certificates to practice midwifery in this state;
50 amending s. 467.205, F.S.; revising provisions
51 relating to approval, continued monitoring,
52 probationary status, provisional approval, and
53 approval rescission of midwifery programs; amending s.
54 468.803, F.S.; revising provisions related to
55 orthotist and prosthetist registration, examination,
56 and licensing; amending s. 483.824, F.S.; revising
57 educational requirements for clinical laboratory
58 directors; amending s. 490.003, F.S.; defining the

588-02346-22

2022768c1

59 terms "doctoral degree from an American Psychological
60 Association accredited program" and "doctoral degree
61 in psychology"; amending ss. 490.005 and 490.0051,
62 F.S.; revising education requirements for psychologist
63 licensure and provisional licensure, respectively;
64 amending s. 491.005, F.S.; revising requirements for
65 licensure of clinical social workers, marriage and
66 family therapists, and mental health counselors;
67 amending s. 766.314, F.S.; deleting obsolete language
68 and updating provisions to conform to current law;
69 revising the frequency with which the department must
70 submit certain reports to the Florida Birth-Related
71 Neurological Injury Compensation Association; revising
72 the content of such reports; authorizing the
73 association to enforce the collection of certain
74 assessments in circuit court under certain
75 circumstances; requiring the association to notify the
76 department and the applicable regulatory board of any
77 unpaid final judgment against a physician within a
78 specified timeframe; providing effective dates.

79

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

81

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

84 381.0045 Targeted outreach for pregnant women.—

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

588-02346-22

2022768c1

88 or mental health problems, or who have acquired ~~are infected~~
89 ~~with~~ human immunodeficiency virus (HIV), and to provide these
90 women with links to much-needed ~~much-needed~~ services and
91 information.

92 (3) The department shall:

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

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

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

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

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

108 (f) Link women with substance abuse treatment and mental
109 health services, when available, and act as a liaison with
110 Healthy Start coalitions, children's medical services, Ryan
111 White-funded providers, and other services of the Department of
112 Health.

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

115 (h) Provide continued oversight of any newborn exposed to
116 HIV to determine the newborn's final HIV status and ensure

588-02346-22

2022768c1

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

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

121 381.0303 Special needs shelters.—

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

125 (a) The department shall assume lead responsibility for the
126 coordination of local medical and health care providers, the
127 American Red Cross, and other interested parties in developing a
128 plan for the staffing and medical management of special needs
129 shelters and. ~~The local Children's Medical Services offices~~
130 ~~shall assume lead responsibility for the coordination of local~~
131 ~~medical and health care providers, the American Red Cross, and~~
132 ~~other interested parties in developing a plan for the staffing~~
133 ~~and medical management of pediatric special needs shelters.~~

134 Plans must conform to the local comprehensive emergency
135 management plan.

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

140 Section 3. Present paragraphs (e) through (h) of subsection
141 (14) of section 381.986, Florida Statutes, are redesignated as
142 paragraphs (f) through (i), respectively, a new paragraph (e) is
143 added to that subsection, and paragraph (e) of subsection (8) of
144 that section is amended, to read:

145 381.986 Medical use of marijuana.—

588-02346-22

2022768c1

146 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

147 (e) A licensed medical marijuana treatment center shall
148 cultivate, process, transport, and dispense marijuana for
149 medical use. A licensed medical marijuana treatment center may
150 not contract for services directly related to the cultivation,
151 processing, and dispensing of marijuana or marijuana delivery
152 devices, except that a medical marijuana treatment center
153 licensed pursuant to subparagraph (a)1. may contract with a
154 single entity for the cultivation, processing, transporting, and
155 dispensing of marijuana and marijuana delivery devices. A
156 licensed medical marijuana treatment center must, at all times,
157 maintain compliance with the criteria demonstrated and
158 representations made in the initial application and the criteria
159 established in this subsection. Upon request, the department may
160 grant a medical marijuana treatment center a variance from the
161 representations made in the initial application. Consideration
162 of such a request shall be based upon the individual facts and
163 circumstances surrounding the request. A variance may not be
164 granted unless the requesting medical marijuana treatment center
165 can demonstrate to the department that it has a proposed
166 alternative to the specific representation made in its
167 application which fulfills the same or a similar purpose as the
168 specific representation in a way that the department can
169 reasonably determine will not be a lower standard than the
170 specific representation in the application. A variance may not
171 be granted from the requirements in subparagraph 2. and
172 subparagraphs (b)1. and 2.

173 1. A licensed medical marijuana treatment center may
174 transfer ownership to an individual or entity who meets the

588-02346-22

2022768c1

175 requirements of this section. A publicly traded corporation or
176 publicly traded company that meets the requirements of this
177 section is not precluded from ownership of a medical marijuana
178 treatment center. To accommodate a change in ownership:

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

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

186 c. Upon receipt of an application for a license, the
187 department shall examine the application and, within 30 days
188 after receipt, notify the applicant in writing of any apparent
189 errors or omissions and request any additional information
190 required.

191 d. Requested information omitted from an application for
192 licensure must be filed with the department within 21 days after
193 the department's request for omitted information or the
194 application shall be deemed incomplete and shall be withdrawn
195 from further consideration and the fees shall be forfeited.

196 e. Within 30 days after the receipt of a complete
197 application, the department shall approve or deny the
198 application.

199 2. A medical marijuana treatment center, and any individual
200 or entity who directly or indirectly owns, controls, or holds
201 with power to vote 5 percent or more of the voting shares of a
202 medical marijuana treatment center, may not acquire direct or
203 indirect ownership or control of any voting shares or other form

588-02346-22

2022768c1

204 of ownership of any other medical marijuana treatment center.

205 3. A medical marijuana treatment center may not enter into
206 any form of profit-sharing arrangement with the property owner
207 or lessor of any of its facilities where cultivation,
208 processing, storing, or dispensing of marijuana and marijuana
209 delivery devices occurs.

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

213 5. Each medical marijuana treatment center must adopt and
214 enforce policies and procedures to ensure employees and
215 volunteers receive training on the legal requirements to
216 dispense marijuana to qualified patients.

217 6. When growing marijuana, a medical marijuana treatment
218 center:

219 a. May use pesticides determined by the department, after
220 consultation with the Department of Agriculture and Consumer
221 Services, to be safely applied to plants intended for human
222 consumption, but may not use pesticides designated as
223 restricted-use pesticides pursuant to s. 487.042.

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

226 c. Must inspect seeds and growing plants for plant pests
227 that endanger or threaten the horticultural and agricultural
228 interests of the state in accordance with chapter 581 and any
229 rules adopted thereunder.

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

588-02346-22

2022768c1

233 7. Each medical marijuana treatment center must produce and
234 make available for purchase at least one low-THC cannabis
235 product.

236 8. A medical marijuana treatment center that produces
237 edibles must hold a permit to operate as a food establishment
238 pursuant to chapter 500, the Florida Food Safety Act, and must
239 comply with all the requirements for food establishments
240 pursuant to chapter 500 and any rules adopted thereunder.

241 Edibles may not contain more than 200 milligrams of
242 tetrahydrocannabinol, and a single serving portion of an edible
243 may not exceed 10 milligrams of tetrahydrocannabinol. Edibles
244 may have a potency variance of no greater than 15 percent.

245 Edibles may not be attractive to children; be manufactured in
246 the shape of humans, cartoons, or animals; be manufactured in a
247 form that bears any reasonable resemblance to products available
248 for consumption as commercially available candy; or contain any
249 color additives. To discourage consumption of edibles by
250 children, the department shall determine by rule any shapes,
251 forms, and ingredients allowed and prohibited for edibles.

252 Medical marijuana treatment centers may not begin processing or
253 dispensing edibles until after the effective date of the rule.

254 The department shall also adopt sanitation rules providing the
255 standards and requirements for the storage, display, or
256 dispensing of edibles.

257 9. Within 12 months after licensure, a medical marijuana
258 treatment center must demonstrate to the department that all of
259 its processing facilities have passed a Food Safety Good
260 Manufacturing Practices, such as Global Food Safety Initiative
261 or equivalent, inspection by a nationally accredited certifying

588-02346-22

2022768c1

262 body. A medical marijuana treatment center must immediately stop
263 processing at any facility which fails to pass this inspection
264 until it demonstrates to the department that such facility has
265 met this requirement.

266 10. A medical marijuana treatment center that produces
267 prerolled marijuana cigarettes may not use wrapping paper made
268 with tobacco or hemp.

269 11. When processing marijuana, a medical marijuana
270 treatment center must:

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

273 b. Comply with department rules when processing marijuana
274 with hydrocarbon solvents or other solvents or gases exhibiting
275 potential toxicity to humans. The department shall determine by
276 rule the requirements for medical marijuana treatment centers to
277 use such solvents or gases exhibiting potential toxicity to
278 humans.

279 c. Comply with federal and state laws and regulations and
280 department rules for solid and liquid wastes. The department
281 shall determine by rule procedures for the storage, handling,
282 transportation, management, and disposal of solid and liquid
283 waste generated during marijuana production and processing. The
284 Department of Environmental Protection shall assist the
285 department in developing such rules.

286 d. Test the processed marijuana using a medical marijuana
287 testing laboratory before it is dispensed. Results must be
288 verified and signed by two medical marijuana treatment center
289 employees. Before dispensing, the medical marijuana treatment
290 center must determine that the test results indicate that low-

588-02346-22

2022768c1

291 THC cannabis meets the definition of low-THC cannabis, the
292 concentration of tetrahydrocannabinol meets the potency
293 requirements of this section, the labeling of the concentration
294 of tetrahydrocannabinol and cannabidiol is accurate, and all
295 marijuana is safe for human consumption and free from
296 contaminants that are unsafe for human consumption. The
297 department shall determine by rule which contaminants must be
298 tested for and the maximum levels of each contaminant which are
299 safe for human consumption. The Department of Agriculture and
300 Consumer Services shall assist the department in developing the
301 testing requirements for contaminants that are unsafe for human
302 consumption in edibles. The department shall also determine by
303 rule the procedures for the treatment of marijuana that fails to
304 meet the testing requirements of this section, s. 381.988, or
305 department rule. The department may select samples of marijuana
306 ~~a random sample~~ from ~~edibles available for purchase in a medical~~
307 marijuana treatment center dispensing facility which shall be
308 tested by the department to determine whether ~~that~~ the marijuana
309 ~~edible~~ meets the potency requirements of this section, is safe
310 for human consumption, and is accurately labeled with the
311 ~~labeling of~~ the tetrahydrocannabinol and cannabidiol
312 concentration or to verify the result of marijuana testing
313 conducted by a marijuana testing laboratory. The department may
314 also select samples of marijuana delivery devices from a medical
315 marijuana treatment center to determine whether the marijuana
316 delivery device is safe for use by qualified patients ~~is~~
317 ~~accurate~~. A medical marijuana treatment center may not require
318 payment from the department for the sample. A medical marijuana
319 treatment center must recall marijuana edibles, including all

588-02346-22

2022768c1

320 marijuana and marijuana products ~~edibles~~ made from the same
321 batch of marijuana, that fails ~~which fail~~ to meet the potency
322 requirements of this section, that is ~~which are~~ unsafe for human
323 consumption, or for which the labeling of the
324 tetrahydrocannabinol and cannabidiol concentration is
325 inaccurate. A medical marijuana treatment center must also
326 recall all marijuana delivery devices determined to be unsafe
327 for use by qualified patients. The medical marijuana treatment
328 center must retain records of all testing and samples of each
329 homogenous batch of marijuana for at least 9 months. The medical
330 marijuana treatment center must contract with a marijuana
331 testing laboratory to perform audits on the medical marijuana
332 treatment center's standard operating procedures, testing
333 records, and samples and provide the results to the department
334 to confirm that the marijuana or low-THC cannabis meets the
335 requirements of this section and that the marijuana or low-THC
336 cannabis is safe for human consumption. A medical marijuana
337 treatment center shall reserve two processed samples from each
338 batch and retain such samples for at least 9 months for the
339 purpose of such audits. A medical marijuana treatment center may
340 use a laboratory that has not been certified by the department
341 under s. 381.988 until such time as at least one laboratory
342 holds the required certification, but in no event later than
343 July 1, 2018.

344 e. Package the marijuana in compliance with the United
345 States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss.
346 1471 et seq.

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

588-02346-22

2022768c1

- 349 (I) The marijuana or low-THC cannabis meets the
350 requirements of sub-subparagraph d.
- 351 (II) The name of the medical marijuana treatment center
352 from which the marijuana originates.
- 353 (III) The batch number and harvest number from which the
354 marijuana originates and the date dispensed.
- 355 (IV) The name of the physician who issued the physician
356 certification.
- 357 (V) The name of the patient.
- 358 (VI) The product name, if applicable, and dosage form,
359 including concentration of tetrahydrocannabinol and cannabidiol.
360 The product name may not contain wording commonly associated
361 with products marketed by or to children.
- 362 (VII) The recommended dose.
- 363 (VIII) A warning that it is illegal to transfer medical
364 marijuana to another person.
- 365 (IX) A marijuana universal symbol developed by the
366 department.
- 367 12. The medical marijuana treatment center shall include in
368 each package a patient package insert with information on the
369 specific product dispensed related to:
- 370 a. Clinical pharmacology.
371 b. Indications and use.
372 c. Dosage and administration.
373 d. Dosage forms and strengths.
374 e. Contraindications.
375 f. Warnings and precautions.
376 g. Adverse reactions.
- 377 13. In addition to the packaging and labeling requirements

588-02346-22

2022768c1

378 specified in subparagraphs 11. and 12., marijuana in a form for
379 smoking must be packaged in a sealed receptacle with a legible
380 and prominent warning to keep away from children and a warning
381 that states marijuana smoke contains carcinogens and may
382 negatively affect health. Such receptacles for marijuana in a
383 form for smoking must be plain, opaque, and white without
384 depictions of the product or images other than the medical
385 marijuana treatment center's department-approved logo and the
386 marijuana universal symbol.

387 14. The department shall adopt rules to regulate the types,
388 appearance, and labeling of marijuana delivery devices dispensed
389 from a medical marijuana treatment center. The rules must
390 require marijuana delivery devices to have an appearance
391 consistent with medical use.

392 15. Each edible shall be individually sealed in plain,
393 opaque wrapping marked only with the marijuana universal symbol.
394 Where practical, each edible shall be marked with the marijuana
395 universal symbol. In addition to the packaging and labeling
396 requirements in subparagraphs 11. and 12., edible receptacles
397 must be plain, opaque, and white without depictions of the
398 product or images other than the medical marijuana treatment
399 center's department-approved logo and the marijuana universal
400 symbol. The receptacle must also include a list of all the
401 edible's ingredients, storage instructions, an expiration date,
402 a legible and prominent warning to keep away from children and
403 pets, and a warning that the edible has not been produced or
404 inspected pursuant to federal food safety laws.

405 16. When dispensing marijuana or a marijuana delivery
406 device, a medical marijuana treatment center:

588-02346-22

2022768c1

407 a. May dispense any active, valid order for low-THC
408 cannabis, medical cannabis and cannabis delivery devices issued
409 pursuant to former s. 381.986, Florida Statutes 2016, which was
410 entered into the medical marijuana use registry before July 1,
411 2017.

412 b. May not dispense more than a 70-day supply of marijuana
413 within any 70-day period to a qualified patient or caregiver.
414 May not dispense more than one 35-day supply of marijuana in a
415 form for smoking within any 35-day period to a qualified patient
416 or caregiver. A 35-day supply of marijuana in a form for smoking
417 may not exceed 2.5 ounces unless an exception to this amount is
418 approved by the department pursuant to paragraph (4)(f).

419 c. Must have the medical marijuana treatment center's
420 employee who dispenses the marijuana or a marijuana delivery
421 device enter into the medical marijuana use registry his or her
422 name or unique employee identifier.

423 d. Must verify that the qualified patient and the
424 caregiver, if applicable, each have an active registration in
425 the medical marijuana use registry and an active and valid
426 medical marijuana use registry identification card, the amount
427 and type of marijuana dispensed matches the physician
428 certification in the medical marijuana use registry for that
429 qualified patient, and the physician certification has not
430 already been filled.

431 e. May not dispense marijuana to a qualified patient who is
432 younger than 18 years of age. If the qualified patient is
433 younger than 18 years of age, marijuana may only be dispensed to
434 the qualified patient's caregiver.

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

588-02346-22

2022768c1

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

440 g. Must, upon dispensing the marijuana or marijuana
441 delivery device, record in the registry the date, time,
442 quantity, and form of marijuana dispensed; the type of marijuana
443 delivery device dispensed; and the name and medical marijuana
444 use registry identification number of the qualified patient or
445 caregiver to whom the marijuana delivery device was dispensed.

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

449 (14) EXCEPTIONS TO OTHER LAWS.—

450 (e) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or
451 any other law, but subject to the requirements of this section,
452 the department, including an employee of the department acting
453 within the scope of his or her employment, may acquire, possess,
454 test, transport, and lawfully dispose of marijuana and marijuana
455 delivery devices as provided in this section, in s. 381.988, and
456 by department rule.

457 Section 4. Subsection (1) of section 456.039, Florida
458 Statutes, is amended to read:

459 456.039 Designated health care professionals; information
460 required for licensure.—

461 (1) Each person who applies for initial licensure or
462 license renewal as a physician under chapter 458, chapter 459,
463 chapter 460, or chapter 461, except a person applying for
464 registration pursuant to ss. 458.345 and 459.021, must furnish

588-02346-22

2022768c1

465 the following information to the department, at the time of
466 application or, ~~and each physician who applies for license~~
467 ~~renewal under chapter 458, chapter 459, chapter 460, or chapter~~
468 ~~461, except a person registered pursuant to ss. 458.345 and~~
469 ~~459.021, must,~~ in conjunction with the renewal of such license
470 ~~and~~ under procedures adopted by the department ~~of Health,~~ and in
471 addition to any other information that may be required from the
472 applicant, ~~furnish the following information to the Department~~
473 ~~of Health:~~

474 (a)1. The name of each medical school that the applicant
475 has attended, with the dates of attendance and the date of
476 graduation, and a description of all graduate medical education
477 completed by the applicant, excluding any coursework taken to
478 satisfy medical licensure continuing education requirements.

479 2. The name of each hospital at which the applicant has
480 privileges.

481 3. The address at which the applicant will primarily
482 conduct his or her practice.

483 4. Any certification that the applicant has received from a
484 specialty board that is recognized by the board to which the
485 applicant is applying.

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

487 6. Any appointment to the faculty of a medical school which
488 the applicant currently holds and an indication as to whether
489 the applicant has had the responsibility for graduate medical
490 education within the most recent 10 years.

491 7. A description of any criminal offense of which the
492 applicant has been found guilty, regardless of whether
493 adjudication of guilt was withheld, or to which the applicant

588-02346-22

2022768c1

494 has pled guilty or nolo contendere. A criminal offense committed
495 in another jurisdiction which would have been a felony or
496 misdemeanor if committed in this state must be reported. If the
497 applicant indicates that a criminal offense is under appeal and
498 submits a copy of the notice for appeal of that criminal
499 offense, the department must state that the criminal offense is
500 under appeal if the criminal offense is reported in the
501 applicant's profile. If the applicant indicates to the
502 department that a criminal offense is under appeal, the
503 applicant must, upon disposition of the appeal, submit to the
504 department a copy of the final written order of disposition.

505 8. A description of any final disciplinary action taken
506 within the previous 10 years against the applicant by the agency
507 regulating the profession that the applicant is or has been
508 licensed to practice, whether in this state or in any other
509 jurisdiction, by a specialty board that is recognized by the
510 American Board of Medical Specialties, the American Osteopathic
511 Association, or a similar national organization, or by a
512 licensed hospital, health maintenance organization, prepaid
513 health clinic, ambulatory surgical center, or nursing home.
514 Disciplinary action includes resignation from or nonrenewal of
515 medical staff membership or the restriction of privileges at a
516 licensed hospital, health maintenance organization, prepaid
517 health clinic, ambulatory surgical center, or nursing home taken
518 in lieu of or in settlement of a pending disciplinary case
519 related to competence or character. If the applicant indicates
520 that the disciplinary action is under appeal and submits a copy
521 of the document initiating an appeal of the disciplinary action,
522 the department must state that the disciplinary action is under

588-02346-22

2022768c1

523 appeal if the disciplinary action is reported in the applicant's
524 profile.

525 9. Relevant professional qualifications as defined by the
526 applicable board.

527 (b) In addition to the information required under paragraph
528 (a), for each applicant seeking ~~who seeks~~ licensure under
529 chapter 458, chapter 459, or chapter 461, ~~and~~ who has practiced
530 previously in this state or in another jurisdiction or a foreign
531 country, ~~must provide~~ the information required of licensees
532 under those chapters pursuant to s. 456.049. An applicant for
533 licensure under chapter 460 who has practiced previously in this
534 state or in another jurisdiction or a foreign country must
535 provide the same information as is required of licensees under
536 chapter 458, pursuant to s. 456.049.

537 (c) For each applicant seeking licensure under chapter 458
538 or chapter 459, proof of payment of the assessment required
539 under s. 766.314, if applicable.

540 Section 5. Subsection (1) of section 460.406, Florida
541 Statutes, is amended to read:

542 460.406 Licensure by examination.—

543 (1) Any person desiring to be licensed as a chiropractic
544 physician must apply to the department to take the licensure
545 examination. There shall be an application fee set by the board
546 not to exceed \$100 which shall be nonrefundable. There shall
547 also be an examination fee not to exceed \$500 plus the actual
548 per applicant cost to the department for purchase of portions of
549 the examination from the National Board of Chiropractic
550 Examiners or a similar national organization, which may be
551 refundable if the applicant is found ineligible to take the

588-02346-22

2022768c1

552 examination. The department shall examine each applicant whom
553 ~~who~~ the board certifies has met all of the following criteria:

554 (a) Completed the application form and remitted the
555 appropriate fee.

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

558 (c) Submitted proof satisfactory to the department that he
559 or she is a graduate of a chiropractic college which is
560 accredited by or has status with the Council on Chiropractic
561 Education or its predecessor agency. However, any applicant who
562 is a graduate of a chiropractic college that was initially
563 accredited by the Council on Chiropractic Education in 1995, who
564 graduated from such college within the 4 years immediately
565 preceding such accreditation, and who is otherwise qualified is
566 ~~shall be~~ eligible to take the examination. An ~~No~~ application for
567 a license to practice chiropractic medicine may not ~~shall~~ be
568 denied solely because the applicant is a graduate of a
569 chiropractic college that subscribes to one philosophy of
570 chiropractic medicine as distinguished from another.

571 (d)1. For an applicant who has matriculated in a
572 chiropractic college before ~~prior to~~ July 2, 1990, completed at
573 least 2 years of residence college work, consisting of a minimum
574 of one-half the work acceptable for a bachelor's degree granted
575 on the basis of a 4-year period of study, in a college or
576 university accredited by an institutional accrediting agency
577 recognized and approved by the United States Department of
578 Education. However, before ~~prior to~~ being certified by the board
579 to sit for the examination, each applicant who has matriculated
580 in a chiropractic college after July 1, 1990, must ~~shall~~ have

588-02346-22

2022768c1

581 been granted a bachelor's degree, based upon 4 academic years of
582 study, by a college or university accredited by an institutional
583 ~~a regional~~ accrediting agency that ~~which~~ is a member of the
584 Commission on Recognition of Postsecondary Accreditation.

585 2. Effective July 1, 2000, completed, before ~~prior to~~
586 matriculation in a chiropractic college, at least 3 years of
587 residence college work, consisting of a minimum of 90 semester
588 hours leading to a bachelor's degree in a liberal arts college
589 or university accredited by an institutional accrediting agency
590 recognized and approved by the United States Department of
591 Education. However, before ~~prior to~~ being certified by the board
592 to sit for the examination, each applicant who has matriculated
593 in a chiropractic college after July 1, 2000, must ~~shall~~ have
594 been granted a bachelor's degree from an institution holding
595 accreditation for that degree from an institutional ~~a regional~~
596 accrediting agency that ~~which~~ is recognized by the United States
597 Department of Education. The applicant's chiropractic degree
598 must consist of credits earned in the chiropractic program and
599 may not include academic credit for courses from the bachelor's
600 degree.

601 (e) Successfully completed the National Board of
602 Chiropractic Examiners certification examination in parts I, II,
603 III, and IV, and the physiotherapy examination of the National
604 Board of Chiropractic Examiners, with a score approved by the
605 board.

606 (f) Submitted to the department a set of fingerprints on a
607 form and under procedures specified by the department, along
608 with payment in an amount equal to the costs incurred by the
609 Department of Health for the criminal background check of the

588-02346-22

2022768c1

610 applicant.

611

612 The board may require an applicant who graduated from an
613 institution accredited by the Council on Chiropractic Education
614 more than 10 years before the date of application to the board
615 to take the National Board of Chiropractic Examiners Special
616 Purposes Examination for Chiropractic, or its equivalent, as
617 determined by the board. The board shall establish by rule a
618 passing score.

619 Section 6. Subsection (4) of section 464.008, Florida
620 Statutes, is amended to read:

621 464.008 Licensure by examination.—

622 ~~(4) If an applicant who graduates from an approved program~~
623 ~~does not take the licensure examination within 6 months after~~
624 ~~graduation, he or she must enroll in and successfully complete a~~
625 ~~board-approved licensure examination preparatory course. The~~
626 ~~applicant is responsible for all costs associated with the~~
627 ~~course and may not use state or federal financial aid for such~~
628 ~~costs. The board shall by rule establish guidelines for~~
629 ~~licensure examination preparatory courses.~~

630 Section 7. Paragraph (e) of subsection (1) of section
631 464.018, Florida Statutes, is amended to read:

632 464.018 Disciplinary actions.—

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

636 (e) Having been found guilty of, ~~regardless of~~
637 ~~adjudication,~~ or entered a plea of nolo contendere or guilty to,
638 regardless of adjudication, any offense prohibited under s.

588-02346-22

2022768c1

639 435.04 or similar statute of another jurisdiction; or having
640 committed an act which constitutes domestic violence as defined
641 in s. 741.28.

642 Section 8. Present subsections (13) and (14) of section
643 467.003, Florida Statutes, are redesignated as subsections (14)
644 and (15), respectively, a new subsection (13) is added to that
645 section, and subsections (1) and (12) of that section are
646 amended, to read:

647 467.003 Definitions.—As used in this chapter, unless the
648 context otherwise requires:

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

652 (12) "Preceptor" means a physician licensed under chapter
653 458 or chapter 459, a ~~licensed~~ midwife licensed under this
654 chapter, or a certified nurse midwife licensed under chapter
655 464, who has a minimum of 3 years' professional experience, and
656 who directs, teaches, supervises, and evaluates the learning
657 experiences of a the student midwife as part of an approved
658 midwifery program.

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

665 Section 9. Section 467.009, Florida Statutes, is amended to
666 read:

667 467.009 Accredited and approved midwifery programs;

588-02346-22

2022768c1

668 education and training requirements.-

669 (1) The department shall adopt standards for accredited and
670 approved midwifery programs which must include, but need not be
671 limited to, standards for all of the following:

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

- 675 1. Obstetrics.†
- 676 2. Neonatal pediatrics.†
- 677 3. Basic sciences.†
- 678 4. Female reproductive anatomy and physiology.†
- 679 5. Behavioral sciences.†
- 680 6. Childbirth education.†
- 681 7. Community care.†
- 682 8. Epidemiology.†
- 683 9. Genetics.†
- 684 10. Embryology.†
- 685 11. Neonatology.†
- 686 12. Applied pharmacology.†
- 687 13. The medical and legal aspects of midwifery.†
- 688 14. Gynecology and women's health.†
- 689 15. Family planning.†
- 690 16. Nutrition during pregnancy and lactation.†
- 691 17. Breastfeeding.† ~~and~~
- 692 18. Basic nursing skills; ~~and any other instruction~~
693 ~~determined by the department and council to be necessary.~~

694 (b) ~~The standards shall incorporate the~~ Core competencies,
695 incorporating those established by the American College of Nurse
696 Midwives and the Midwives Alliance of North America, including

588-02346-22

2022768c1

697 knowledge, skills, and professional behavior in all of the
698 following areas:

- 699 1. Primary management, collaborative management, referral,
700 and medical consultation.~~†~~
- 701 2. Antepartal, intrapartal, postpartal, and neonatal care.~~†~~
- 702 3. Family planning and gynecological care.~~†~~
- 703 4. Common complications.~~†~~ and
- 704 5. Professional responsibilities.

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

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

713 (3) An accredited and approved midwifery program may reduce
714 ~~If the applicant is a registered nurse or a licensed practical~~
715 ~~nurse or has previous nursing or midwifery education,~~ the
716 required period of training ~~may be reduced~~ to the extent of the
717 student's applicant's qualifications as a registered nurse or
718 licensed practical nurse or based on prior completion of
719 equivalent nursing or midwifery education, as determined ~~under~~
720 ~~rules adopted by the department rule.~~ In no case shall the
721 training be reduced to a period of less than 2 years.

722 (4) (3) An accredited and approved midwifery program may
723 accept students who ~~To be accepted into an approved midwifery~~
724 ~~program, an applicant shall~~ have both:

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

588-02346-22

2022768c1

726 (b) Taken three college-level credits each of math and
727 English or demonstrated competencies in communication and
728 computation.

729 (5)~~(4)~~ As part of its course of study, an accredited and
730 approved midwifery program must require clinical training that
731 includes all of the following:

732 (a) A student midwife, during training, shall undertake,
733 under the supervision of a preceptor, The care of 50 women in
734 each of the prenatal, intrapartal, and postpartal periods under
735 the supervision of a preceptor.,~~but~~ The same women need not be
736 seen through all three periods.

737 (b)~~(5)~~ Observation of ~~The student midwife shall observe an~~
738 ~~additional 25 women in the intrapartal period before qualifying~~
739 ~~for a license.~~

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

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

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

748 (7) A hospital or birthing center receiving public funds
749 shall be required to provide student midwives access to observe
750 labor, delivery, and postpartal procedures, provided the woman
751 in labor has given informed consent. The Department of Health
752 shall assist in facilitating access to hospital training for
753 accredited and approved midwifery programs.

754 (8)~~(7)~~ The Department of Education shall adopt curricular

588-02346-22

2022768c1

755 frameworks for midwifery programs offered by ~~conducted within~~
756 public educational institutions under ~~pursuant to~~ this section.

757 ~~(8) Nonpublic educational institutions that conduct~~
758 ~~approved midwifery programs shall be accredited by a member of~~
759 ~~the Commission on Recognition of Postsecondary Accreditation and~~
760 ~~shall be licensed by the Commission for Independent Education.~~

761 Section 10. Section 467.011, Florida Statutes, is amended
762 to read:

763 467.011 Licensed midwives; qualifications; examination
764 ~~Licensure by examination.~~

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

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

771 ~~(3) The department shall issue a license to practice~~
772 ~~midwifery to an applicant who meets all of the following~~
773 ~~criteria:~~

774 ~~(1) Demonstrates that he or she has graduated from one of~~
775 ~~the following:~~

776 ~~(a) An accredited and approved midwifery program.~~

777 ~~(b) A medical or midwifery program offered in another~~
778 ~~state, jurisdiction, territory, or country whose graduation~~
779 ~~requirements were equivalent to or exceeded those required by s.~~
780 ~~467.009 and the rules adopted thereunder at the time of~~
781 ~~graduation.~~

782 ~~(2) Demonstrates that he or she has ~~and~~ successfully~~
783 ~~completed a prelicensure course offered by an accredited and~~

588-02346-22

2022768c1

784 approved midwifery program. Students graduating from an
785 accredited and approved midwifery program may meet this
786 requirement by showing that the content requirements for the
787 prelicensure course were covered as part of their course of
788 study.

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

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

794 Section 11. Section 467.0125, Florida Statutes, is amended
795 to read:

796 467.0125 Licensed midwives; qualifications; Licensure by
797 endorsement; temporary certificates.-

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

802 ~~(a)1. Holds a valid certificate or diploma from a foreign~~
803 ~~institution of medicine or midwifery or from a midwifery program~~
804 ~~offered in another state, bearing the seal of the institution or~~
805 ~~otherwise authenticated, which renders the individual eligible~~
806 ~~to practice midwifery in the country or state in which it was~~
807 ~~issued, provided the requirements therefor are deemed by the~~
808 ~~department to be substantially equivalent to, or to exceed,~~
809 ~~those established under this chapter and rules adopted under~~
810 ~~this chapter, and submits therewith a certified translation of~~
811 ~~the foreign certificate or diploma; or~~

812 2. Holds an active, unencumbered a valid certificate or

588-02346-22

2022768c1

813 license to practice midwifery in another state, jurisdiction, or
814 territory ~~issued by that state,~~ provided the licensing
815 requirements of that state, jurisdiction, or territory at the
816 time the license was issued were therefor are deemed by the
817 ~~department to be~~ substantially equivalent to, or exceeded to
818 ~~exceed,~~ those established under this chapter and the rules
819 adopted hereunder ~~under this chapter.~~

820 (b) Has successfully completed a ~~4-month~~ prelicensure
821 course conducted by an accredited and approved midwifery program
822 ~~and has submitted documentation to the department of successful~~
823 ~~completion.~~

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

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

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

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

- 840 1. A county health department.
- 841 2. A correctional facility.

588-02346-22

2022768c1

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

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

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

848 (c) Will practice only those specific areas, under the
849 supervision auspices of a physician licensed under pursuant to
850 chapter 458 or chapter 459, a certified nurse midwife licensed
851 under pursuant to part I of chapter 464, or a midwife licensed
852 under this chapter, who has a minimum of 3 years' professional
853 experience.

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

856 (a) A requirement that a temporary certificateholder
857 practice only in areas of critical need. The State Surgeon
858 General shall determine the areas of critical need, which ~~Such~~
859 areas shall include, but are not be limited to, health
860 professional shortage areas designated by the United States
861 Department of Health and Human Services.

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

865 1. Report a new practice area of critical need to the
866 department; or

867 2. Voluntarily relinquish the temporary certificate.

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

588-02346-22

2022768c1

871 subsections (2) and (3) and the rules adopted thereunder. If the
872 department determines that a certificateholder is not meeting
873 these requirements, the department must revoke the temporary
874 certificate.

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

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

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

887 ~~(e) The department shall review the practice under a~~
888 ~~temporary certificate at least annually to ascertain that the~~
889 ~~minimum requirements of the midwifery rules promulgated under~~
890 ~~this chapter are being met. If it is determined that the minimum~~
891 ~~requirements are not being met, the department shall immediately~~
892 ~~revoke the temporary certificate.~~

893 ~~(f) The fee for a temporary certificate shall not exceed~~
894 ~~\$50 and shall be in addition to the fee required for licensure.~~

895 Section 12. Section 467.205, Florida Statutes, is amended
896 to read:

897 467.205 Approval of midwifery programs.—

898 (1) The department must approve an accredited or state-
899 licensed public or private institution seeking to provide

588-02346-22

2022768c1

900 midwifery education and training as an approved midwifery
901 program in this state if the institution meets all of the
902 following criteria:

903 (a) Submits an application for approval on a form approved
904 by the department.

905 (b) Demonstrates to the department's satisfaction that the
906 proposed midwifery program complies with s. 467.009 and the
907 rules adopted thereunder.

908 (c) For a private institution, demonstrates its
909 accreditation by a member of the Council for Higher Education
910 Accreditation or an accrediting agency approved by the United
911 States Department of Education as an institutional accrediting
912 agency for direct-entry midwifery education programs and its
913 licensing or provisional licensing by the Commission for
914 Independent Education ~~An organization desiring to conduct an~~
915 ~~approved program for the education of midwives shall apply to~~
916 ~~the department and submit such evidence as may be required to~~
917 ~~show that it complies with s. 467.009 and with the rules of the~~
918 ~~department. Any accredited or state-licensed institution of~~
919 ~~higher learning, public or private, may provide midwifery~~
920 ~~education and training.~~

921 ~~(2) The department shall adopt rules regarding educational~~
922 ~~objectives, faculty qualifications, curriculum guidelines,~~
923 ~~administrative procedures, and other training requirements as~~
924 ~~are necessary to ensure that approved programs graduate midwives~~
925 ~~competent to practice under this chapter.~~

926 ~~(3) The department shall survey each organization applying~~
927 ~~for approval. If the department is satisfied that the program~~
928 ~~meets the requirements of s. 467.009 and rules adopted pursuant~~

588-02346-22

2022768c1

929 ~~to that section, it shall approve the program.~~

930 (2)~~(4)~~ The department shall, at least once every 3 years,
931 certify whether each approved midwifery program is currently
932 compliant, and has maintained compliance, ~~complies~~ with the
933 requirements of ~~standards developed under~~ s. 467.009 and the
934 rules adopted thereunder.

935 (3)~~(5)~~ If the department finds that an approved midwifery
936 program is not in compliance with the requirements of s. 467.009
937 or the rules adopted thereunder, or has lost its accreditation
938 status, the department must provide its finding to the program
939 in writing and ~~no longer meets the required standards,~~ it may
940 place the program on probationary status for a specified period
941 of time, which may not exceed 3 years until such time as the
942 standards are restored.

943 (4) If a program on probationary status does not come into
944 compliance with the requirements of s. 467.009 or the rules
945 adopted thereunder, or regain its accreditation status, as
946 applicable, within the period specified by the department ~~fails~~
947 to correct these conditions within a specified period of time,
948 the department may rescind the program's approval.

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

951 (6) The department may grant provisional approval of a new
952 program seeking accreditation status, for a period not to exceed
953 5 years, provided that all other requirements of this section
954 are met.

955 (7) The department may rescind provisional approval of a
956 program that fails to meet the requirements of s. 467.009, this
957 section, or the rules adopted thereunder, in accordance with

588-02346-22

2022768c1

958 ~~procedures provided in subsections (3) and (4) may be granted~~
959 ~~pending the licensure results of the first graduating class.~~

960 Section 13. Subsections (2), (3), and (4) and paragraphs
961 (a) and (b) of subsection (5) of section 468.803, Florida
962 Statutes, are amended to read:

963 468.803 License, registration, and examination
964 requirements.—

965 (2) An applicant for registration, examination, or
966 licensure must apply to the department on a form prescribed by
967 the board for consideration of board approval. Each initial
968 applicant shall submit ~~a set of~~ fingerprints to the department
969 in accordance with ~~on a form and under~~ procedures specified by
970 the department, ~~along with payment in an amount equal to the~~
971 ~~costs incurred by the department~~ for state and national criminal
972 history checks of the applicant. ~~The department shall submit the~~
973 ~~fingerprints provided by an applicant to the Department of Law~~
974 ~~Enforcement for a statewide criminal history check, and the~~
975 ~~Department of Law Enforcement shall forward the fingerprints to~~
976 ~~the Federal Bureau of Investigation for a national criminal~~
977 ~~history check of the applicant.~~ The board shall screen the
978 results to determine if an applicant meets licensure
979 requirements. The board shall consider for examination,
980 registration, or licensure each applicant whom ~~who~~ the board
981 verifies:

982 (a) Has submitted the completed application and completed
983 the fingerprinting requirements ~~fingerprint forms~~ and has paid
984 the applicable application fee, not to exceed \$500, ~~and the cost~~
985 ~~of the state and national criminal history checks.~~ The
986 application fee is ~~and cost of the criminal history checks shall~~

588-02346-22

2022768c1

987 ~~be~~ nonrefundable;

988 (b) Is of good moral character;

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

990 (d) Has completed the appropriate educational preparation.

991 (3) A person seeking to attain the orthotics or prosthetics
992 experience required for licensure in this state must be approved
993 by the board and registered as a resident by the department.
994 Although a registration may be held in both disciplines, for
995 independent registrations the board may not approve a second
996 registration until at least 1 year after the issuance of the
997 first registration. Notwithstanding subsection (2), a person who
998 has been approved by the board and registered by the department
999 in one discipline may apply for registration in the second
1000 discipline without an additional state or national criminal
1001 history check during the period in which the first registration
1002 is valid. Each independent registration or dual registration is
1003 valid for 2 years after the date of issuance unless otherwise
1004 revoked by the department upon recommendation of the board. The
1005 board shall set a registration fee not to exceed \$500 to be paid
1006 by the applicant. A registration may be renewed once by the
1007 department upon recommendation of the board for a period no
1008 longer than 1 year, as such renewal is defined by ~~the board~~ by
1009 rule. The renewal fee may not exceed one-half the current
1010 registration fee. To be considered by the board for approval of
1011 registration as a resident, the applicant must have one of the
1012 following:

1013 (a) A Bachelor of Science or higher-level postgraduate
1014 degree in orthotics and prosthetics from an institutionally ~~a~~
1015 ~~regionally~~ accredited college or university recognized by the

588-02346-22

2022768c1

1016 Commission on Accreditation of Allied Health Education Programs.

1017 (b) A minimum of a bachelor's degree from an
1018 institutionally ~~a regionally~~ accredited college or university
1019 and a certificate in orthotics or prosthetics from a program
1020 recognized by the Commission on Accreditation of Allied Health
1021 Education Programs, or its equivalent, as determined by the
1022 board.

1023 (c) A minimum of a bachelor's degree from an
1024 institutionally ~~a regionally~~ accredited college or university
1025 and a dual certificate in both orthotics and prosthetics from
1026 programs recognized by the Commission on Accreditation of Allied
1027 Health Education Programs, or its equivalent, as determined by
1028 the board.

1029 (4) The department may develop and administer a state
1030 examination for an orthotist or a prosthetist license, or the
1031 board may approve the existing examination of a national
1032 standards organization. The examination must be predicated on a
1033 minimum of a baccalaureate-level education and formalized
1034 specialized training in the appropriate field. Each examination
1035 must demonstrate a minimum level of competence in basic
1036 scientific knowledge, written problem solving, and practical
1037 clinical patient management. The board shall require an
1038 examination fee not to exceed the actual cost to the board in
1039 developing, administering, and approving the examination, which
1040 fee must be paid by the applicant. To be considered by the board
1041 for examination, the applicant must have:

1042 (a) For an examination in orthotics:

1043 1. A Bachelor of Science or higher-level postgraduate
1044 degree in orthotics and prosthetics from an institutionally ~~a~~

588-02346-22

2022768c1

1045 ~~regionally~~ accredited college or university recognized by the
1046 Commission on Accreditation of Allied Health Education Programs
1047 or, at a minimum, a bachelor's degree from an institutionally ~~a~~
1048 ~~regionally~~ accredited college or university and a certificate in
1049 orthotics from a program recognized by the Commission on
1050 Accreditation of Allied Health Education Programs, or its
1051 equivalent, as determined by the board; and

1052 2. An approved orthotics internship of 1 year of qualified
1053 experience, as determined by the board, or an orthotic residency
1054 or dual residency program recognized by the board.

1055 (b) For an examination in prosthetics:

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

1065 2. An approved prosthetics internship of 1 year of
1066 qualified experience, as determined by the board, or a
1067 prosthetic residency or dual residency program recognized by the
1068 board.

1069 (5) In addition to the requirements in subsection (2), to
1070 be licensed as:

1071 (a) An orthotist, the applicant must pay a license fee not
1072 to exceed \$500 and must have:

1073 1. A Bachelor of Science or higher-level postgraduate

588-02346-22

2022768c1

1074 degree in orthotics and prosthetics from an institutionally a
1075 ~~regionally~~ accredited college or university recognized by the
1076 Commission on Accreditation of Allied Health Education Programs,
1077 or a bachelor's degree from an institutionally accredited
1078 college or university and ~~with~~ a certificate in orthotics from a
1079 program recognized by the Commission on Accreditation of Allied
1080 Health Education Programs, or its equivalent, as determined by
1081 the board;

1082 2. An approved ~~appropriate~~ internship of 1 year of
1083 qualified experience, as determined by the board, or a residency
1084 program recognized by the board;

1085 3. Completed the mandatory courses; and

1086 4. Passed the state orthotics examination or the board-
1087 approved orthotics examination.

1088 (b) A prosthetist, the applicant must pay a license fee not
1089 to exceed \$500 and must have:

1090 1. A Bachelor of Science or higher-level postgraduate
1091 degree in orthotics and prosthetics from an institutionally a
1092 ~~regionally~~ accredited college or university recognized by the
1093 Commission on Accreditation of Allied Health Education Programs,
1094 or a bachelor's degree from an institutionally accredited
1095 college or university and ~~with~~ a certificate in prosthetics from
1096 a program recognized by the Commission on Accreditation of
1097 Allied Health Education Programs, or its equivalent, as
1098 determined by the board;

1099 2. An internship of 1 year of qualified experience, as
1100 determined by the board, or a residency program recognized by
1101 the board;

1102 3. Completed the mandatory courses; and

588-02346-22

2022768c1

1103 4. Passed the state prosthetics examination or the board-
1104 approved prosthetics examination.

1105 Section 14. Section 483.824, Florida Statutes, is amended
1106 to read:

1107 483.824 Qualifications of clinical laboratory director.—A
1108 clinical laboratory director must have 4 years of clinical
1109 laboratory experience with 2 years of experience in the
1110 specialty to be directed or be nationally board certified in the
1111 specialty to be directed, and must meet one of the following
1112 requirements:

1113 (1) Be a physician licensed under chapter 458 or chapter
1114 459;

1115 (2) Hold an earned doctoral degree in a chemical, physical,
1116 or biological science from an institutionally ~~a regionally~~
1117 accredited institution and maintain national certification
1118 requirements equal to those required by the federal Health Care
1119 Financing Administration; or

1120 (3) For the subspecialty of oral pathology, be a physician
1121 licensed under chapter 458 or chapter 459 or a dentist licensed
1122 under chapter 466.

1123 Section 15. Subsection (3) of section 490.003, Florida
1124 Statutes, is amended to read:

1125 490.003 Definitions.—As used in this chapter:

1126 (3) (a) “Doctoral degree from an American Psychological
1127 Association accredited program” means ~~Effective July 1, 1999,~~
1128 ~~“doctoral-level psychological education”~~ and ~~“doctoral degree in~~
1129 ~~psychology”~~ mean a Psy.D., an Ed.D. in psychology, or a Ph.D. in
1130 psychology from a psychology program at an educational
1131 institution that, at the time the applicant was enrolled and

588-02346-22

2022768c1

1132 graduated:

1133 1.(a) Had institutional accreditation from an agency
1134 recognized and approved by the United States Department of
1135 Education or was recognized as a member in good standing with
1136 Universities Canada ~~the Association of Universities and Colleges~~
1137 ~~of Canada~~; and

1138 2.(b) Had programmatic accreditation from the American
1139 Psychological Association.

1140 (b) "Doctoral degree in psychology" means a Psy.D., an
1141 Ed.D. in psychology, or a Ph.D. in psychology from a psychology
1142 program at an educational institution that, at the time the
1143 applicant was enrolled and graduated, had institutional
1144 accreditation from an agency recognized and approved by the
1145 United States Department of Education or was recognized as a
1146 member in good standing with Universities Canada.

1147 Section 16. Subsection (1) of section 490.005, Florida
1148 Statutes, is amended to read:

1149 490.005 Licensure by examination.—

1150 (1) Any person desiring to be licensed as a psychologist
1151 shall apply to the department to take the licensure examination.
1152 The department shall license each applicant whom ~~who~~ the board
1153 certifies has met all of the following requirements:

1154 (a) Completed the application form and remitted a
1155 nonrefundable application fee not to exceed \$500 and an
1156 examination fee set by the board sufficient to cover the actual
1157 per applicant cost to the department for development, purchase,
1158 and administration of the examination, but not to exceed \$500.

1159 (b) Submitted proof satisfactory to the board that the
1160 applicant has received:

588-02346-22

2022768c1

1161 1. A doctoral degree from an American Psychological
1162 Association accredited program ~~Doctoral-level psychological~~
1163 ~~education~~; or

1164 2. The equivalent of a doctoral degree from an American
1165 Psychological Association accredited program ~~doctoral-level~~
1166 ~~psychological education, as defined in s. 490.003(3), from a~~
1167 ~~program at~~ a school or university located outside the United
1168 States of America which was officially recognized by the
1169 government of the country in which it is located as an
1170 institution or program to train students to practice
1171 professional psychology. The applicant has the burden of
1172 establishing that this requirement has been met.

1173 (c) Had at least 2 years or 4,000 hours of experience in
1174 the field of psychology in association with or under the
1175 supervision of a licensed psychologist meeting the academic and
1176 experience requirements of this chapter or the equivalent as
1177 determined by the board. The experience requirement may be met
1178 by work performed on or off the premises of the supervising
1179 psychologist if the off-premises work is not the independent,
1180 private practice rendering of psychological services that does
1181 not have a psychologist as a member of the group actually
1182 rendering psychological services on the premises.

1183 (d) Passed the examination. However, an applicant who has
1184 obtained a passing score, as established by the board by rule,
1185 on the psychology licensure examination designated by the board
1186 as the national licensure examination need only pass the Florida
1187 law and rules portion of the examination.

1188 Section 17. Subsection (1) of section 490.0051, Florida
1189 Statutes, is amended to read:

588-02346-22

2022768c1

1190 490.0051 Provisional licensure; requirements.—

1191 (1) The department shall issue a provisional psychology
1192 license to each applicant whom ~~who~~ the board certifies has met
1193 all of the following criteria:

1194 (a) Completed the application form and remitted a
1195 nonrefundable application fee not to exceed \$250, as set by
1196 board rule.

1197 (b) Earned a doctoral degree from an American Psychological
1198 Association accredited program in psychology as defined in s.
1199 490.003(3).

1200 (c) Met any additional requirements established by board
1201 rule.

1202 Section 18. Effective upon this act becoming a law,
1203 subsections (1), (3), and (4) of section 491.005, Florida
1204 Statutes, are amended to read:

1205 491.005 Licensure by examination.—

1206 (1) CLINICAL SOCIAL WORK.—Upon verification of
1207 documentation and payment of a fee not to exceed \$200, as set by
1208 board rule, ~~plus the actual per applicant cost to the department~~
1209 ~~for purchase of the examination from the American Association of~~
1210 ~~State Social Worker's Boards or a similar national organization,~~
1211 the department shall issue a license as a clinical social worker
1212 to an applicant whom ~~who~~ the board certifies has met all of the
1213 following criteria:

1214 (a) ~~Has~~ Submitted an application and paid the appropriate
1215 fee.

1216 (b)1. ~~Has~~ Received a doctoral degree in social work from a
1217 graduate school of social work which at the time the applicant
1218 graduated was accredited by an accrediting agency recognized by

588-02346-22

2022768c1

1219 the United States Department of Education or ~~has~~ received a
1220 master's degree in social work from a graduate school of social
1221 work which at the time the applicant graduated:

1222 a. Was accredited by the Council on Social Work Education;

1223 b. Was accredited by the Canadian Association for ~~of~~

1224 ~~Schools of~~ Social Work Education; or

1225 c. Has been determined to have been a program equivalent to
1226 programs approved by the Council on Social Work Education by the
1227 Foreign Equivalency Determination Service of the Council on
1228 Social Work Education. An applicant who graduated from a program
1229 at a university or college outside of the United States or
1230 Canada must present documentation of the equivalency
1231 determination from the council in order to qualify.

1232 2. The applicant's graduate program ~~must have~~ emphasized
1233 direct clinical patient or client health care services,
1234 including, but not limited to, coursework in clinical social
1235 work, psychiatric social work, medical social work, social
1236 casework, psychotherapy, or group therapy. The applicant's
1237 graduate program must have included all of the following
1238 coursework:

1239 a. A supervised field placement which was part of the
1240 applicant's advanced concentration in direct practice, during
1241 which the applicant provided clinical services directly to
1242 clients.

1243 b. Completion of 24 semester hours or 32 quarter hours in
1244 theory of human behavior and practice methods as courses in
1245 clinically oriented services, including a minimum of one course
1246 in psychopathology, and no more than one course in research,
1247 taken in a school of social work accredited or approved pursuant

588-02346-22

2022768c1

1248 to subparagraph 1.

1249 3. If the course title which appears on the applicant's
1250 transcript does not clearly identify the content of the
1251 coursework, the applicant provided ~~shall be required to provide~~
1252 additional documentation, including, but not limited to, a
1253 syllabus or catalog description published for the course.

1254 (c) Completed ~~Has had~~ at least 2 years of clinical social
1255 work experience, which took place subsequent to completion of a
1256 graduate degree in social work at an institution meeting the
1257 accreditation requirements of this section, under the
1258 supervision of a licensed clinical social worker or the
1259 equivalent who is a qualified supervisor as determined by the
1260 board. An individual who intends to practice in Florida to
1261 satisfy clinical experience requirements must register pursuant
1262 to s. 491.0045 before commencing practice. If the applicant's
1263 graduate program was not a program which emphasized direct
1264 clinical patient or client health care services as described in
1265 subparagraph (b)2., the supervised experience requirement must
1266 take place after the applicant has completed a minimum of 15
1267 semester hours or 22 quarter hours of the coursework required. A
1268 doctoral internship may be applied toward the clinical social
1269 work experience requirement. A licensed mental health
1270 professional must be on the premises when clinical services are
1271 provided by a registered intern in a private practice setting.

1272 (d) ~~Has~~ Passed a theory and practice examination designated
1273 by board rule ~~provided by the department for this purpose.~~

1274 (e) ~~Has~~ Demonstrated, in a manner designated by board rule
1275 ~~of the board~~, knowledge of the laws and rules governing the
1276 practice of clinical social work, marriage and family therapy,

588-02346-22

2022768c1

1277 and mental health counseling.

1278 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
1279 documentation and payment of a fee not to exceed \$200, as set by
1280 board rule, ~~plus the actual cost of the purchase of the~~
1281 ~~examination from the Association of Marital and Family Therapy~~
1282 ~~Regulatory Board, or similar national organization,~~ the
1283 department shall issue a license as a marriage and family
1284 therapist to an applicant whom ~~who~~ the board certifies has met
1285 all of the following criteria:

1286 (a) ~~Has~~ Submitted an application and paid the appropriate
1287 fee.

1288 (b) 1. Attained one of the following:

1289 a. A minimum of a master's degree in marriage and family
1290 therapy from a program accredited by the Commission on
1291 Accreditation for Marriage and Family Therapy Education.

1292 b. A minimum of a master's degree with a major emphasis in
1293 marriage and family therapy or a closely related field from a
1294 university program accredited by the Council on Accreditation of
1295 Counseling and Related Educational Programs and graduate courses
1296 approved by the board.

1297 c. ~~Has~~ A minimum of a master's degree with an major
1298 emphasis in marriage and family therapy or a closely related
1299 field, with a degree conferred before September 1, 2027, from an
1300 institutionally accredited college or university ~~from a program~~
1301 accredited by the Commission on Accreditation for Marriage and
1302 Family Therapy Education or from a Florida university program
1303 accredited by the Council for Accreditation of Counseling and
1304 Related Educational Programs and graduate courses approved by
1305 the board of Clinical Social Work, Marriage and Family Therapy,

588-02346-22

2022768c1

1306 and ~~Mental Health Counseling~~.

1307 2. If the course title that appears on the applicant's
1308 transcript does not clearly identify the content of the
1309 coursework, the applicant provided ~~shall provide~~ additional
1310 documentation, including, but not limited to, a syllabus or
1311 catalog description published for the course. The required
1312 master's degree must have been received in an institution of
1313 higher education that, at the time the applicant graduated, was
1314 fully accredited by an institutional ~~a regional~~ accrediting body
1315 recognized by the Council for Higher Education Accreditation or
1316 its successor organization ~~Commission on Recognition of~~
1317 ~~Postsecondary Accreditation~~ or was ~~publicly recognized~~ as a
1318 member in good standing with Universities Canada ~~the Association~~
1319 ~~of Universities and Colleges of Canada~~, or an institution of
1320 higher education located outside the United States and Canada
1321 which, at the time the applicant was enrolled and at the time
1322 the applicant graduated, maintained a standard of training
1323 substantially equivalent to the standards of training of those
1324 institutions in the United States which are accredited by an
1325 institutional ~~a regional~~ accrediting body recognized by the
1326 Council for Higher Education Accreditation or its successor
1327 organization ~~Commission on Recognition of Postsecondary~~
1328 ~~Accreditation~~. Such foreign education and training must have
1329 been received in an institution or program of higher education
1330 officially recognized by the government of the country in which
1331 it is located as an institution or program to train students to
1332 practice as professional marriage and family therapists or
1333 psychotherapists. The applicant has the burden of establishing
1334 that the requirements of this provision have been met, and the

588-02346-22

2022768c1

1335 board shall require documentation, such as an evaluation by a
1336 foreign equivalency determination service, as evidence that the
1337 applicant's graduate degree program and education were
1338 equivalent to an accredited program in this country. An
1339 applicant with a master's degree from a program that did not
1340 emphasize marriage and family therapy may complete the
1341 coursework requirement in a training institution fully
1342 accredited by the Commission on Accreditation for Marriage and
1343 Family Therapy Education recognized by the United States
1344 Department of Education.

1345 (c) Completed ~~Has had~~ at least 2 years of clinical
1346 experience during which 50 percent of the applicant's clients
1347 were receiving marriage and family therapy services, which must
1348 be at the post-master's level under the supervision of a
1349 licensed marriage and family therapist with at least 5 years of
1350 experience, or the equivalent, who is a qualified supervisor as
1351 determined by the board. An individual who intends to practice
1352 in Florida to satisfy the clinical experience requirements must
1353 register pursuant to s. 491.0045 before commencing practice. If
1354 a graduate has a master's degree with a major emphasis in
1355 marriage and family therapy or a closely related field which did
1356 not include all of the coursework required by paragraph (b),
1357 credit for the post-master's level clinical experience may not
1358 commence until the applicant has completed a minimum of 10 of
1359 the courses required by paragraph (b), as determined by the
1360 board, and at least 6 semester hours or 9 quarter hours of the
1361 course credits must have been completed in the area of marriage
1362 and family systems, theories, or techniques. Within the 2 years
1363 of required experience, the applicant shall provide direct

588-02346-22

2022768c1

1364 individual, group, or family therapy and counseling to cases
1365 including those involving unmarried dyads, married couples,
1366 separating and divorcing couples, and family groups that include
1367 children. A doctoral internship may be applied toward the
1368 clinical experience requirement. A licensed mental health
1369 professional must be on the premises when clinical services are
1370 provided by a registered intern in a private practice setting.

1371 (d) ~~Has~~ Passed a theory and practice examination designated
1372 by board rule ~~provided by the department~~.

1373 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,
1374 knowledge of the laws and rules governing the practice of
1375 clinical social work, marriage and family therapy, and mental
1376 health counseling.

1377
1378 For the purposes of dual licensure, the department shall license
1379 as a marriage and family therapist any person who meets the
1380 requirements of s. 491.0057. Fees for dual licensure may not
1381 exceed those stated in this subsection.

1382 (4) MENTAL HEALTH COUNSELING.—Upon verification of
1383 documentation and payment of a fee not to exceed \$200, as set by
1384 board rule, ~~plus the actual per applicant cost of purchase of~~
1385 ~~the examination from the National Board for Certified Counselors~~
1386 ~~or its successor organization,~~ the department shall issue a
1387 license as a mental health counselor to an applicant whom ~~who~~
1388 the board certifies has met all of the following criteria:

1389 (a) ~~Has~~ Submitted an application and paid the appropriate
1390 fee.

1391 (b)1. Attained ~~Has~~ a minimum of an earned master's degree
1392 from a mental health counseling program accredited by the

588-02346-22

2022768c1

1393 Council for the Accreditation of Counseling and Related
1394 Educational Programs which consists of at least 60 semester
1395 hours or 80 quarter hours of clinical and didactic instruction,
1396 including a course in human sexuality and a course in substance
1397 abuse. If the master's degree is earned from a program related
1398 to the practice of mental health counseling which is not
1399 accredited by the Council for the Accreditation of Counseling
1400 and Related Educational Programs, then the coursework and
1401 practicum, internship, or fieldwork must consist of at least 60
1402 semester hours or 80 quarter hours and meet all of the following
1403 requirements:

1404 a. Thirty-three semester hours or 44 quarter hours of
1405 graduate coursework, which must include a minimum of 3 semester
1406 hours or 4 quarter hours of graduate-level coursework in each of
1407 the following 11 content areas: counseling theories and
1408 practice; human growth and development; diagnosis and treatment
1409 of psychopathology; human sexuality; group theories and
1410 practice; individual evaluation and assessment; career and
1411 lifestyle assessment; research and program evaluation; social
1412 and cultural foundations; substance abuse; and legal, ethical,
1413 and professional standards issues in the practice of mental
1414 health counseling. Courses in research, thesis or dissertation
1415 work, practicums, internships, or fieldwork may not be applied
1416 toward this requirement.

1417 b. A minimum of 3 semester hours or 4 quarter hours of
1418 graduate-level coursework addressing diagnostic processes,
1419 including differential diagnosis and the use of the current
1420 diagnostic tools, such as the current edition of the American
1421 Psychiatric Association's Diagnostic and Statistical Manual of

588-02346-22

2022768c1

1422 Mental Disorders. The graduate program must have emphasized the
1423 common core curricular experience.

1424 c. The equivalent, as determined by the board, of at least
1425 700 hours of university-sponsored supervised clinical practicum,
1426 internship, or field experience that includes at least 280 hours
1427 of direct client services, as required in the accrediting
1428 standards of the Council for Accreditation of Counseling and
1429 Related Educational Programs for mental health counseling
1430 programs. This experience may not be used to satisfy the post-
1431 master's clinical experience requirement.

1432 2. ~~Has~~ Provided additional documentation if a course title
1433 that appears on the applicant's transcript does not clearly
1434 identify the content of the coursework. The documentation must
1435 include, but is not limited to, a syllabus or catalog
1436 description published for the course.

1437
1438 Education and training in mental health counseling must have
1439 been received in an institution of higher education that, at the
1440 time the applicant graduated, was fully accredited by an
1441 institutional ~~a regional~~ accrediting body recognized by the
1442 Council for Higher Education Accreditation or its successor
1443 organization or was ~~publicly recognized as~~ a member in good
1444 standing with Universities Canada ~~the Association of~~
1445 ~~Universities and Colleges of Canada~~, or an institution of higher
1446 education located outside the United States and Canada which, at
1447 the time the applicant was enrolled and at the time the
1448 applicant graduated, maintained a standard of training
1449 substantially equivalent to the standards of training of those
1450 institutions in the United States which are accredited by an

588-02346-22

2022768c1

1451 institutional ~~a regional~~ accrediting body recognized by the
1452 Council for Higher Education Accreditation or its successor
1453 organization. Such foreign education and training must have been
1454 received in an institution or program of higher education
1455 officially recognized by the government of the country in which
1456 it is located as an institution or program to train students to
1457 practice as mental health counselors. The applicant has the
1458 burden of establishing that the requirements of this provision
1459 have been met, and the board shall require documentation, such
1460 as an evaluation by a foreign equivalency determination service,
1461 as evidence that the applicant's graduate degree program and
1462 education were equivalent to an accredited program in this
1463 country. Beginning July 1, 2025, an applicant must have a
1464 master's degree from a program that is accredited by the Council
1465 for Accreditation of Counseling and Related Educational
1466 Programs, the Masters in Psychology and Counseling Accreditation
1467 Council, or an equivalent accrediting body which consists of at
1468 least 60 semester hours or 80 quarter hours to apply for
1469 licensure under this paragraph.

1470 (c) Completed ~~Has had~~ at least 2 years of clinical
1471 experience in mental health counseling, which must be at the
1472 post-master's level under the supervision of a licensed mental
1473 health counselor or the equivalent who is a qualified supervisor
1474 as determined by the board. An individual who intends to
1475 practice in Florida to satisfy the clinical experience
1476 requirements must register pursuant to s. 491.0045 before
1477 commencing practice. If a graduate has a master's degree with a
1478 major related to the practice of mental health counseling which
1479 did not include all the coursework required under sub-

588-02346-22

2022768c1

1480 subparagraphs (b)1.a. and b., credit for the post-master's level
1481 clinical experience may not commence until the applicant has
1482 completed a minimum of seven of the courses required under sub-
1483 subparagraphs (b)1.a. and b., as determined by the board, one of
1484 which must be a course in psychopathology or abnormal
1485 psychology. A doctoral internship may be applied toward the
1486 clinical experience requirement. A licensed mental health
1487 professional must be on the premises when clinical services are
1488 provided by a registered intern in a private practice setting.

1489 (d) ~~Has~~ Passed a theory and practice examination designated
1490 by board rule ~~provided by the department for this purpose.~~

1491 (e) ~~Has~~ Demonstrated, in a manner designated by board rule,
1492 knowledge of the laws and rules governing the practice of
1493 clinical social work, marriage and family therapy, and mental
1494 health counseling.

1495 Section 19. Subsection (6) and paragraph (c) of subsection
1496 (9) of section 766.314, Florida Statutes, are amended to read:

1497 766.314 Assessments; plan of operation.—

1498 (6) (a) The association shall make all assessments required
1499 by this section, except initial assessments of physicians
1500 licensed ~~on or after October 1, 1988, which assessments will be~~
1501 ~~made~~ by the Department of Health Business and Professional
1502 Regulation, and except assessments of casualty insurers pursuant
1503 to subparagraph (5) (c)1., which assessments will be made by the
1504 Office of Insurance Regulation. ~~Beginning October 1, 1989, for~~
1505 ~~any physician licensed between October 1 and December 31 of any~~
1506 ~~year, the Department of Business and Professional Regulation~~
1507 ~~shall make the initial assessment plus the assessment for the~~
1508 ~~following calendar year.~~ The Department of Health Business and

588-02346-22

2022768c1

1509 ~~Professional Regulation~~ shall provide the association, in an
1510 electronic format, with a monthly report ~~such frequency as~~
1511 ~~determined to be necessary, a listing, in a computer-readable~~
1512 ~~form,~~ of the names and license numbers ~~addresses~~ of all
1513 physicians licensed under chapter 458 or chapter 459.

1514 (b)1. The association may enforce collection of assessments
1515 required to be paid pursuant to ss. 766.301-766.316 by suit
1516 filed in county court, or in circuit court if the amount due
1517 could exceed the jurisdictional limits of county court. The
1518 association is ~~shall be~~ entitled to an award of attorney
1519 ~~attorney's~~ fees, costs, and interest upon the entry of a
1520 judgment against a physician for failure to pay such assessment,
1521 with such interest accruing until paid. Notwithstanding ~~the~~
1522 ~~provisions of~~ chapters 47 and 48, the association may file such
1523 suit in either Leon County or the county of the residence of the
1524 defendant. The association shall notify the Department of Health
1525 and the applicable board of any unpaid final judgment against a
1526 physician within 7 days after the entry of final judgment.

1527 2. The Department of Health ~~Business and Professional~~
1528 ~~Regulation,~~ upon notification by the association that an
1529 assessment has not been paid and that there is an unsatisfied
1530 judgment against a physician, shall refuse to ~~not~~ renew any
1531 license issued to ~~practice for~~ such physician under ~~issued~~
1532 ~~pursuant to~~ chapter 458 or chapter 459 until the association
1533 notifies the Department of Health that ~~such time as~~ the judgment
1534 is satisfied in full.

1535 (c) The Agency for Health Care Administration shall, upon
1536 notification by the association that an assessment has not been
1537 timely paid, enforce collection of such assessments required to

588-02346-22

2022768c1

1538 be paid by hospitals pursuant to ss. 766.301-766.316. Failure of
1539 a hospital to pay such assessment is grounds for disciplinary
1540 action pursuant to s. 395.1065 notwithstanding any ~~provision of~~
1541 law to the contrary.

1542 (9)

1543 (c) If ~~In the event~~ the total of all current estimates
1544 equals 80 percent of the funds on hand and the funds that will
1545 become available to the association within the next 12 months
1546 from all sources described in subsections (4) and (5) and
1547 paragraph (7) (a), the association may ~~shall~~ not accept any new
1548 claims without express authority from the Legislature. Nothing
1549 in this section precludes ~~herein shall preclude~~ the association
1550 from accepting any claim if the injury occurred 18 months or
1551 more before ~~prior to~~ the effective date of this suspension.
1552 Within 30 days after ~~of~~ the effective date of this suspension,
1553 the association shall notify the Governor, the Speaker of the
1554 House of Representatives, the President of the Senate, the
1555 Office of Insurance Regulation, the Agency for Health Care
1556 Administration, and the Department of Health, ~~and the Department~~
1557 ~~of Business and Professional Regulation~~ of this suspension.

1558 Section 20. Except as otherwise expressly provided in this
1559 act and except for this section, which shall take effect upon
1560 this act becoming a law, this act shall take effect July 1,
1561 2022.