

By Senator Calatayud

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1                                   A bill to be entitled  
2           An act relating to the Occupational Therapy Licensure  
3           Compact; creating s. 468.226, F.S.; creating the  
4           Occupational Therapy Licensure Compact; providing a  
5           purpose and objectives of the compact; defining terms;  
6           specifying requirements for state participation in the  
7           compact; authorizing member states to obtain  
8           biometric-based information from and conduct criminal  
9           background checks on licensees applying for a compact  
10          privilege; requiring member states to grant the  
11          compact privilege to licensees if they meet specified  
12          criteria; specifying criteria licensees must meet to  
13          exercise the compact privilege under the compact;  
14          providing for the expiration of the compact privilege;  
15          requiring licensees practicing in a remote state under  
16          the compact privilege to comply with the laws and  
17          rules of that state; subjecting licensees to the  
18          regulatory authority of remote states where they  
19          practice under the compact privilege; providing for  
20          disciplinary action; specifying circumstances under  
21          which licensees are ineligible for a compact  
22          privilege; specifying conditions that a licensee must  
23          meet to regain his or her compact privilege after an  
24          adverse action; specifying locations active duty  
25          military personnel and their spouses may use to  
26          designate their home state for purposes of the  
27          compact; providing that only a home state may impose  
28          adverse action against a license issued by that state;  
29          authorizing home states to take adverse action based

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30 on investigative information of a remote state,  
31 subject to certain requirements; directing member  
32 states that use alternative programs in lieu of  
33 discipline to require the licensee to agree not to  
34 practice in other member states while participating in  
35 the program, unless authorized by the member state;  
36 authorizing member states to investigate violations by  
37 licensees in other member states; authorizing member  
38 states to take adverse action against compact  
39 privileges issued in their respective states;  
40 authorizing remote states to issue subpoenas for  
41 hearings and investigations; requiring the issuing  
42 remote state to pay related fees and expenses;  
43 authorizing remote states to recover costs under  
44 certain circumstances; providing for joint  
45 investigations of licensees under the compact;  
46 establishing the Occupational Therapy Compact  
47 Commission; providing for the venue and jurisdiction  
48 for court proceedings by or against the commission;  
49 providing construction; providing for commission  
50 membership, voting, and meetings; authorizing the  
51 commission to convene closed, nonpublic meetings under  
52 certain circumstances; specifying duties and powers of  
53 the commission; providing for membership and duties of  
54 the executive board of the commission; providing for  
55 financing of the commission; providing for qualified  
56 immunity, defense, and indemnification of the  
57 commission; requiring the commission to develop and  
58 maintain a coordinated database and reporting system

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59 for certain information about licensees under the  
60 compact; requiring member states to submit specified  
61 information to the system; requiring that information  
62 contained in the system be available only to member  
63 states; requiring the commission to notify all member  
64 states promptly of reported adverse action taken  
65 against licensees or applicants for licensure;  
66 authorizing member states to designate reported  
67 information as exempt from public disclosure;  
68 providing for the removal of submitted information  
69 from the system under certain circumstances; providing  
70 for commission rulemaking; specifying public notice  
71 and hearing requirements for rulemaking; providing for  
72 emergency rulemaking; providing for state enforcement  
73 of the compact; providing for the default and  
74 termination of compact membership; providing for  
75 appeals and costs; providing procedures for the  
76 resolution of certain disputes; providing for  
77 enforcement against a defaulting state; providing  
78 construction; providing for implementation and  
79 administration of the compact and associated rules;  
80 providing that compact states that join after initial  
81 adoption of the commission's rules are subject to such  
82 rules; specifying procedures for compact states to  
83 withdraw from the compact; providing construction;  
84 providing for amendment of the compact; providing  
85 construction and severability; amending s. 456.073,  
86 F.S.; requiring the Department of Health to report  
87 certain investigative information to the data system

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88 under the Occupational Therapy Licensure Compact;  
89 amending s. 456.076, F.S.; requiring monitoring  
90 contracts for certain impaired practitioners  
91 participating in treatment programs to contain  
92 specified terms; amending s. 468.205, F.S.; requiring  
93 the Board of Occupational Therapy Practice to appoint  
94 an individual to serve as the state's delegate on the  
95 Occupational Therapy Compact Commission; amending ss.  
96 468.207 and 468.209, F.S.; exempting occupational  
97 therapists and occupational therapy assistants from  
98 licensure requirements if they are practicing in this  
99 state pursuant to a compact privilege under the  
100 compact; amending s. 468.1755, F.S.; authorizing the  
101 board to take adverse action against the compact  
102 privilege of occupational therapists and occupational  
103 therapy assistants for specified prohibited acts;  
104 amending s. 768.28, F.S.; designating the state  
105 delegate and other members or employees of the  
106 commission as state agents for the purpose of applying  
107 sovereign immunity and waivers of sovereign immunity;  
108 requiring the commission to pay certain claims or  
109 judgments; authorizing the commission to maintain  
110 insurance coverage to pay such claims or judgments;  
111 providing an effective date.

112  
113 Be It Enacted by the Legislature of the State of Florida:

114  
115 Section 1. Section 468.226, Florida Statutes, is created to  
116 read:

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117 468.226 Occupational Therapy Licensure Compact.—The  
118 Occupational Therapy Licensure Compact is hereby enacted into  
119 law and entered into by this state with all other jurisdictions  
120 legally joining therein in the form substantially as follows:

121  
122 ARTICLE I

123 PURPOSE AND OBJECTIVES

124  
125 (1) The purpose of the compact is to facilitate interstate  
126 practice of occupational therapy with the goal of improving  
127 public access to occupational therapy services. The compact  
128 preserves the regulatory authority of member states to protect  
129 public health and safety through their current systems of state  
130 licensure. For purposes of state regulation under the compact,  
131 the practice of occupational therapy is deemed to have occurred  
132 in the state where the patient is located at the time  
133 occupational therapy is provided to the patient.

134 (2) The compact is designed to achieve all of the following  
135 objectives:

136 (a) Increase public access to occupational therapy services  
137 by providing for the mutual recognition of other member state  
138 licenses.

139 (b) Enhance member states' ability to protect the public's  
140 health and safety.

141 (c) Encourage the cooperation of member states in  
142 regulating multistate occupational therapy practice.

143 (d) Support spouses of relocating military members.

144 (e) Enhance the exchange of licensure, investigative, and  
145 disciplinary information between member states.

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146 (f) Allow a remote state to hold a provider of services  
147 with a compact privilege in that state accountable to that  
148 state's practice standards.

149  
150 ARTICLE II

151 DEFINITIONS

152  
153 As used in the compact, and except as otherwise provided,  
154 the term:

155 (1) "Active duty military" means full-time duty status in  
156 the active uniformed service of the United States, including  
157 members of the National Guard and Reserve on active duty orders  
158 pursuant to 10 U.S.C. chapter 1209 and chapter 1211.

159 (2) "Adverse action" means disciplinary action taken by an  
160 occupational therapy licensing board based upon misconduct,  
161 unacceptable performance, or a combination of both.

162 (3) "Alternative program" means a nondisciplinary  
163 monitoring or practice remediation process approved by a state's  
164 occupational therapy licensing board. The term includes, but is  
165 not limited to, programs that address substance abuse issues.

166 (4) "Compact privilege" means the authorization granted by  
167 a remote state to allow a licensee from another member state to  
168 practice as an occupational therapist or occupational therapy  
169 assistant in the remote state under its laws and rules.

170 (5) "Continuing competence" means a requirement, as a  
171 condition of license renewal, to provide evidence of  
172 participation in, and completion of, educational and  
173 professional activities relevant to the practice of occupational  
174 therapy.

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175       (6) "Data system" means the coordinated database and  
176 reporting system created by the Occupational Therapy Compact  
177 Commission for the exchange of information between member states  
178 relating to licensees or applicants under the compact, including  
179 personal identifying information, licensure data, investigative  
180 information, adverse actions, nonconfidential information  
181 related to alternative program participation, any denial of an  
182 application for licensure, and other information as specified by  
183 commission rule.

184       (7) "Encumbered license" means a license that an  
185 occupational therapy licensing board has limited in any way.

186       (8) "Executive board" means a group of directors elected or  
187 appointed to act on behalf of, and within the powers granted to  
188 them by, the commission.

189       (9) "Home state" means the member state that is the  
190 licensee's primary state of residence.

191       (10) "Investigative information" means information,  
192 records, and documents received or generated by an occupational  
193 therapy licensing board pursuant to an investigation.

194       (11) "Jurisprudence requirement" means the assessment of an  
195 individual's knowledge of the laws and rules governing the  
196 practice of occupational therapy in a specific state.

197       (12) "Licensee" means an individual who currently holds an  
198 authorization from a state to practice as an occupational  
199 therapist or occupational therapy assistant.

200       (13) "Member state" means a state that has enacted the  
201 compact.

202       (14) "Occupational therapist" means an individual licensed  
203 by a state to practice occupational therapy.

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204       (15) "Occupational therapy" or "the practice of  
205 occupational therapy" means the care and services provided by or  
206 under the direction and supervision of a licensed occupational  
207 therapist.

208       (16) "Occupational therapy assistant" means an individual  
209 licensed by a state to assist an occupational therapist in  
210 specified areas of occupational therapy.

211       (17) "Occupational Therapy Compact Commission" or  
212 "commission" means the national administrative body whose  
213 membership consists of all states that have enacted the compact.

214       (18) "Occupational therapy licensing board" means the  
215 agency of a state which is responsible for the licensing and  
216 regulation of occupational therapists and occupational therapy  
217 assistants.

218       (19) "Remote state" means a member state other than the  
219 home state where a licensee is exercising or seeking to exercise  
220 the compact privilege.

221       (20) "Rule" means a regulation, principle, or directive  
222 adopted by the commission which has the force of law.

223       (21) "State" means any state, commonwealth, district, or  
224 territory of the United States of America which regulates the  
225 practice of occupational therapy.

226  
227                                   ARTICLE III

228                                   STATE PARTICIPATION IN THE COMPACT

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230       (1) To participate in the compact, a state must do all of  
231 the following:

232       (a) Participate fully in the commission's data system,



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233 including using the commission's unique identifier, as defined  
234 by commission rule.

235 (b) Have a mechanism in place for receiving and  
236 investigating complaints about licensees.

237 (c) Notify the commission, in accordance with the terms of  
238 the compact and rules, of any adverse action or the availability  
239 of any investigative information regarding a licensee.

240 (d) Fully implement a criminal background check  
241 requirement, within a timeframe established by commission rule,  
242 which uses results from the Federal Bureau of Investigation  
243 record search on criminal background checks to make licensure  
244 decisions in accordance with subsection (2).

245 (e) Comply with the commission's rules.

246 (f) Use a recognized national examination as a requirement  
247 for licensure pursuant to the commission's rules.

248 (g) Have continuing competence requirements as a condition  
249 for license renewal.

250 (2) Upon adoption of the compact, a member state has the  
251 authority to obtain biometric-based information from each  
252 licensee applying for a compact privilege and submit this  
253 information to the Federal Bureau of Investigation for a  
254 criminal background check in accordance with 28 U.S.C. s. 534  
255 and 34 U.S.C. s. 40316.

256 (3) A member state must grant the compact privilege to a  
257 licensee holding a valid unencumbered license in another member  
258 state in accordance with the terms of the compact and rules.

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ARTICLE IV

COMPACT PRIVILEGE

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263 (1) To exercise the compact privilege under the compact, a  
264 licensee must satisfy all of the following conditions:

265 (a) Hold a license to practice occupational therapy in the  
266 home state.

267 (b) Not have an encumbrance on any state license.

268 (c) Be eligible for a compact privilege in all member  
269 states in accordance with subsections (4), (7), and (8).

270 (d) Not have had an adverse action against any license or  
271 compact privilege within the preceding 2 years.

272 (e) Notify the commission that the licensee is seeking the  
273 compact privilege within a remote state.

274 (f) Meet any jurisprudence requirements established by the  
275 remote state in which the licensee is seeking a compact  
276 privilege.

277 (g) Report to the commission any adverse action taken by a  
278 nonmember state within 30 days after the date the adverse action  
279 is taken.

280 (2) The compact privilege is valid until the expiration  
281 date of the home license. The licensee must continue to meet the  
282 requirements of subsection (1) to maintain the compact privilege  
283 in a remote state.

284 (3) A licensee providing occupational therapy in a remote  
285 state under the compact privilege must comply with the laws and  
286 rules of the remote state.

287 (4) A licensee providing occupational therapy in a remote  
288 state is subject to that state's regulatory authority. A remote  
289 state may, in accordance with due process and that state's laws,  
290 remove a licensee's compact privilege in the remote state for a

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291 specific period of time, impose fines, and take any other  
292 necessary actions to protect the health and safety of its  
293 residents. The licensee is not eligible for a compact privilege  
294 in any member state until the specific period of time for  
295 removal has ended and all fines are paid.

296 (5) If a home state license is encumbered, the licensee  
297 loses the compact privilege in all remote states until both of  
298 the following conditions are met:

299 (a) The home state license is no longer encumbered.

300 (b) Two years have elapsed from the date of the adverse  
301 action.

302 (6) Once an encumbered license in the home state is  
303 restored to good standing, the licensee must meet the  
304 requirements of subsection (1) to obtain a compact privilege in  
305 any remote state.

306 (7) If a licensee's compact privilege in any remote state  
307 is removed, the licensee loses the compact privilege in all  
308 remote states until all of the following conditions are met:

309 (a) The specific period of time for which the compact  
310 privilege was removed has ended.

311 (b) All fines have been paid.

312 (c) Two years have elapsed from the date of the adverse  
313 action.

314 (8) Once the requirements of subsection (7) have been met,  
315 the licensee must meet the requirements of subsection (1) to  
316 obtain a compact privilege in a remote state.

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ARTICLE V

ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES

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321 A licensee who is active duty military or is the spouse of  
322 an individual who is active duty military may choose any of the  
323 following locations to designate as his or her home state:

324

(1) Home of record.

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(2) Permanent change of station location.

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327 (3) State of current residence, if it is different from the  
328 home of record or permanent change of station location.

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#### ARTICLE VI

330

#### ADVERSE ACTIONS

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332 (1) A home state has exclusive power to impose adverse  
333 action against a license issued by the home state.

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335 (2) A home state may take adverse action based on the  
336 investigative information of a remote state, so long as the home  
337 state follows its own procedures for imposing adverse action.

337

338 (3) The compact does not override a member state's decision  
339 that participation in an alternative program may be used in lieu  
340 of adverse action and that such participation remain nonpublic  
341 if required by the member state's laws. Member states must  
342 require licensees who enter any alternative program in lieu of  
343 discipline to agree not to practice in any other member state  
344 during the term of the alternative program without prior  
345 authorization from such other member state.

345

346 (4) A member state may investigate actual or alleged  
347 violations of the laws and rules for the practice of  
348 occupational therapy committed in any other member state by an  
349 occupational therapist or occupational therapy assistant

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349 practicing under the compact who holds a license or compact  
350 privilege in such other member state.

351 (5) A remote state may do any of the following:

352 (a) Take adverse actions as set forth in subsection (4) of  
353 Article IV against a licensee's compact privilege in the state.

354 (b) Issue subpoenas for both hearings and investigations  
355 which require the attendance and testimony of witnesses and the  
356 production of evidence. Subpoenas issued by an occupational  
357 therapy licensing board in a member state for the attendance and  
358 testimony of witnesses or for the production of evidence from  
359 another member state must be enforced in the latter state by any  
360 court of competent jurisdiction, according to the practice and  
361 procedure of that court applicable to subpoenas issued in  
362 proceedings pending before it. The issuing authority shall pay  
363 any witness fees, travel expenses, mileage, and other fees  
364 required by the service laws of the state where the witnesses or  
365 evidence is located.

366 (c) If otherwise permitted by state law, recover from the  
367 licensee the costs of investigations and disposition of cases  
368 resulting from any adverse action taken against that licensee.

369 (6) (a) In addition to the authority granted to a member  
370 state by its respective occupational therapy practice act or  
371 other applicable state law, a member state may participate with  
372 other member states in joint investigations of licensees.

373 (b) Member states shall share all investigative,  
374 litigation, or compliance materials in furtherance of any joint  
375 or individual investigation initiated under the compact.

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ARTICLE VII

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378 ESTABLISHMENT OF THE OCCUPATIONAL THERAPY COMPACT COMMISSION

379  
380 (1) COMMISSION CREATED.—The member states hereby create and  
381 establish a joint public agency known as the Occupational  
382 Therapy Compact Commission:

383 (a) The commission is an instrumentality of the member  
384 states.

385 (b) Venue is proper, and judicial proceedings by or against  
386 the commission must be brought solely and exclusively, in a  
387 court of competent jurisdiction where the principal office of  
388 the commission is located. The commission may waive venue and  
389 jurisdictional defenses to the extent it adopts or consents to  
390 participate in alternative dispute resolution proceedings.

391 (c) The compact may not be construed to be a waiver of  
392 sovereign immunity.

393 (2) MEMBERSHIP, VOTING, AND MEETINGS.—

394 (a) Each member state has and is limited to one delegate  
395 selected by that member state's occupational therapy licensing  
396 board to serve on the commission. The delegate must be a current  
397 member of the occupational therapy licensing board who is an  
398 occupational therapist, an occupational therapy assistant, a  
399 public member, or the board administrator.

400 (b) A delegate may be removed or suspended from office as  
401 provided by the law of the state from which the delegate is  
402 appointed. Any vacancy occurring on the commission must be  
403 filled by the occupational therapy licensing board of the member  
404 state for which the vacancy exists.

405 (c) Each delegate is entitled to one vote with regard to  
406 the adoption of rules and bylaws and must otherwise have an

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407 opportunity to participate in the business and affairs of the  
408 commission.

409 (d) A delegate shall vote in person or by such other means  
410 as provided in the bylaws. The bylaws may provide for delegates'  
411 participation in meetings by telephone or other means of  
412 communication.

413 (e) The commission shall meet at least once during each  
414 calendar year. Additional meetings may be held as set forth in  
415 the bylaws.

416 (f) All meetings must be open to the public, and public  
417 notice of meetings must be given in the same manner as required  
418 under the rulemaking provisions in Article IX.

419 (g) The commission or the executive board or other  
420 committees of the commission may convene in a closed, nonpublic  
421 meeting if the commission or executive board or other committees  
422 of the commission must discuss any of the following:

423 1. Noncompliance of a member state with its obligations  
424 under the compact.

425 2. The employment, compensation, or discipline of, or other  
426 matters, practices, or procedures related to, specific employees  
427 or other matters related to the commission's internal personnel  
428 practices and procedures.

429 3. Current, threatened, or reasonably anticipated  
430 litigation against the commission, executive board, or other  
431 committees of the commission.

432 4. Negotiation of contracts for the purchase, lease, or  
433 sale of goods, services, or real estate.

434 5. An accusation of any person of a crime or a formal  
435 censure of any person.

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436 6. Information disclosing trade secrets or commercial or  
437 financial information that is privileged or confidential.

438 7. Information of a personal nature where disclosure would  
439 constitute a clearly unwarranted invasion of personal privacy.

440 8. Investigatory records compiled for law enforcement  
441 purposes.

442 9. Information related to any investigative report prepared  
443 by or on behalf of or for use of the commission or other  
444 committees charged with responsibility for investigation or  
445 determination of compliance issues pursuant to the compact.

446 10. Matters specifically exempted from disclosure by  
447 federal or member state statute.

448 (h) If a meeting, or portion of a meeting, is closed  
449 pursuant to this subsection, the commission's legal counsel or  
450 designee must certify that the meeting may be closed and must  
451 reference each relevant exempting provision.

452 (i) The commission shall keep minutes that fully and  
453 clearly describe all matters discussed in a meeting and shall  
454 provide a full and accurate summary of actions taken and the  
455 reasons therefor, including a description of the views  
456 expressed. All documents considered in connection with an action  
457 must be identified in the minutes. All minutes and documents of  
458 a closed meeting must remain under seal, subject to release only  
459 by a majority vote of the commission or order of a court of  
460 competent jurisdiction.

461 (3) DUTIES.—The commission shall do all of the following:

462 (a) Establish the fiscal year of the commission.

463 (b) Establish bylaws.

464 (c) Maintain its financial records in accordance with the



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465 bylaws.

466 (d) Meet and take such actions as are consistent with the  
467 provisions of the compact and the bylaws.

468 (4) POWERS.—The commission may do any of the following:

469 (a) Adopt uniform rules to facilitate and coordinate  
470 implementation and administration of the compact. The rules have  
471 the force and effect of law and are binding in all member  
472 states.

473 (b) Bring and prosecute legal proceedings or actions in the  
474 name of the commission, provided that the standing of any state  
475 occupational therapy licensing board to sue or be sued under  
476 applicable law is not affected.

477 (c) Purchase and maintain insurance and bonds.

478 (d) Borrow, accept, or contract for services of personnel,  
479 including, but not limited to, employees of a member state.

480 (e) Hire employees and elect or appoint officers; fix the  
481 compensation of, define the duties of, and grant appropriate  
482 authority to such individuals to carry out the purposes of the  
483 compact; and establish the commission's personnel policies and  
484 programs relating to conflicts of interest, qualifications of  
485 personnel, and other related personnel matters.

486 (f) Accept any appropriate donations and grants of money,  
487 equipment, supplies, materials, and services and receive, use,  
488 and dispose of the same, provided that at all times the  
489 commission avoids any appearance of impropriety or conflict of  
490 interest.

491 (g) Lease, purchase, accept appropriate gifts or donations  
492 of, or otherwise own, hold, improve, or use any property, real,  
493 personal, or mixed, provided that at all times the commission

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494 avoids any appearance of impropriety or conflict of interest.

495 (h) Sell, convey, mortgage, pledge, lease, exchange,  
496 abandon, or otherwise dispose of any property, real, personal,  
497 or mixed.

498 (i) Establish a budget and make expenditures.

499 (j) Borrow money.

500 (k) Appoint committees, including standing committees  
501 composed of members, state regulators, state legislators or  
502 their representatives, consumer representatives, and such other  
503 interested persons as may be designated in the compact and the  
504 bylaws.

505 (l) Provide information to, receive information from, and  
506 cooperate with law enforcement agencies.

507 (m) Establish and elect an executive board.

508 (n) Perform such other functions as may be necessary or  
509 appropriate to achieve the purposes of the compact consistent  
510 with the state regulation of occupational therapy licensure and  
511 practice.

512 (5) THE EXECUTIVE BOARD.—

513 (a) The executive board may act on behalf of the commission  
514 according to the terms of the compact.

515 (b) The executive board shall be composed of the following  
516 nine members:

517 1. Seven voting members who are elected by the commission  
518 from the current membership of the commission.

519 2. One ex officio, nonvoting member from the recognized  
520 national occupational therapy professional association.

521 3. One ex officio, nonvoting member from the recognized  
522 membership organization of the occupational therapy licensing

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523 boards.

524 (c) The ex officio members shall be selected by their  
525 respective organizations.

526 (d) The commission may remove any member of the executive  
527 board as provided in its bylaws.

528 (e) The executive board shall meet at least annually.

529 (f) The executive board shall do all of the following:

530 1. Recommend to the entire commission changes to the rules  
531 or bylaws, compact legislation, fees paid by compact member  
532 states, such as annual dues, and any commission compact fee  
533 charged to licensees for the compact privilege.

534 2. Ensure compact administration services are appropriately  
535 provided, contractually or otherwise.

536 3. Prepare and recommend the budget.

537 4. Maintain financial records on behalf of the commission.

538 5. Monitor compact compliance of member states and provide  
539 compliance reports to the commission.

540 6. Establish additional committees as necessary.

541 7. Perform other duties as provided in the rules or bylaws.

542 (6) FINANCING OF THE COMMISSION.—

543 (a) The commission shall pay, or provide for the payment  
544 of, the reasonable expenses of its establishment, organization,  
545 and ongoing activities.

546 (b) The commission may accept any appropriate revenue  
547 sources, donations, and grants of money, equipment, supplies,  
548 materials, and services.

549 (c) The commission may levy and collect an annual  
550 assessment from each member state or impose fees on other  
551 parties to cover the cost of the operations and activities of

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552 the commission and its staff. Such assessments and fees must  
553 total to an amount sufficient to cover the commission's annual  
554 budget as approved each year for which revenue is not provided  
555 by other sources. The aggregate annual assessment amount must be  
556 allocated based upon a formula to be determined by the  
557 commission, which shall adopt a rule binding upon all member  
558 states.

559 (d) The commission may not incur obligations of any kind  
560 before securing the funds adequate to meet such obligations; nor  
561 may the commission pledge the credit of any member state, except  
562 by and with the authority of the member state.

563 (e) The commission shall keep accurate accounts of all  
564 receipts and disbursements. The receipts and disbursements of  
565 the commission are subject to the audit and accounting  
566 procedures established under its bylaws. However, all receipts  
567 and disbursements of funds handled by the commission must be  
568 audited yearly by a certified or licensed public accountant, and  
569 the report of the audit must be included in and become part of  
570 the annual report of the commission.

571 (7) QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION.-

572 (a) The members, officers, executive director, employees,  
573 and representatives of the commission are immune from suit and  
574 liability, whether personally or in their official capacity, for  
575 any claim for damage to or loss of property or personal injury  
576 or other civil liability caused by or arising out of any actual  
577 or alleged act, error, or omission that occurred, or that the  
578 person against whom the claim is made had a reasonable basis for  
579 believing occurred, within the scope of commission employment,  
580 duties, or responsibilities. However, this paragraph may not be

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581 construed to protect any such person from suit or liability for  
582 any damage, loss, injury, or liability caused by the  
583 intentional, willful, or wanton misconduct of that person.

584 (b) The commission shall defend any member, officer,  
585 executive director, employee, or representative of the  
586 commission in any civil action seeking to impose liability  
587 arising out of any actual or alleged act, error, or omission  
588 that occurred within the scope of commission employment, duties,  
589 or responsibilities, or that the person against whom the claim  
590 is made had a reasonable basis for believing occurred within the  
591 scope of commission employment, duties, or responsibilities.  
592 However, this paragraph may not be construed to prohibit any  
593 member, officer, executive director, employee, or representative  
594 of the commission from retaining his or her own counsel or to  
595 require the commission to defend such person if the actual or  
596 alleged act, error, or omission resulted from that person's  
597 intentional, willful, or wanton misconduct.

598 (c) The commission shall indemnify and hold harmless any  
599 member, officer, executive director, employee, or representative  
600 of the commission for the amount of any settlement or judgment  
601 obtained against that person arising out of any actual or  
602 alleged act, error, or omission that occurred within the scope  
603 of commission employment, duties, or responsibilities, or that  
604 such person had a reasonable basis for believing occurred within  
605 the scope of commission employment, duties, or responsibilities,  
606 provided that the actual or alleged act, error, or omission did  
607 not result from the intentional, willful, or wanton misconduct  
608 of that person.  
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ARTICLE VIIIDATA SYSTEM

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613 (1) The commission shall provide for the development,  
614 maintenance, and use of a coordinated database and reporting  
615 system containing licensure, adverse action, and investigative  
616 information on all licensed individuals in member states.

617 (2) Notwithstanding any other provision of state law to the  
618 contrary, a member state shall submit a uniform data set to the  
619 data system on all individuals to whom the compact is applicable  
620 as required by the rules of the commission, which data set must  
621 include all of the following:

622 (a) Personal identifying information.

623 (b) Licensure data.

624 (c) Adverse actions against a license or compact privilege.

625 (d) Nonconfidential information related to alternative  
626 program participation.

627 (e) Any denial of application for licensure and the reason  
628 for such denial.

629 (f) Other information that may facilitate the  
630 administration of the compact, as determined by the rules of the  
631 commission.

632 (3) Investigative information in the system pertaining to a  
633 licensee in any member state must be available only to other  
634 member states.

635 (4) The commission shall promptly notify all member states  
636 of any adverse action taken against a license or an individual  
637 applying for a license in a member state. Adverse action  
638 information pertaining to a licensee in any member state must be

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639 available to all other member states.

640 (5) Member states contributing information to the data  
641 system may designate information that may not be shared with the  
642 public without the express permission of the contributing state.

643 (6) Any information submitted to the data system which is  
644 subsequently required to be expunged by the laws of the member  
645 state contributing the information must be removed from the data  
646 system.

647

648 ARTICLE IX

649

649 RULEMAKING

650

651 (1) The commission shall exercise its rulemaking powers  
652 pursuant to the criteria set forth in this article and the rules  
653 adopted thereunder. Rules and amendments become binding as of  
654 the date specified in each rule or amendment.

655 (2) If a majority of the legislatures of the member states  
656 rejects a rule by enactment of a statute or resolution in the  
657 same manner used to adopt the compact within 4 years after the  
658 date of adoption of the rule, such rule does not have further  
659 force and effect in any member state.

660 (3) Rules or amendments to the rules must be adopted at a  
661 regular or special meeting of the commission.

662 (4) Before adoption of a final rule by the commission, and  
663 at least 30 days before the meeting at which the rule will be  
664 considered and voted upon, the commission must file a notice of  
665 proposed rulemaking on all of the following:

666 (a) The website of the commission or another publicly  
667 accessible platform.

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668       (b) The website of each member state's occupational therapy  
669 licensing board or another publicly accessible platform or the  
670 publication in which each state would otherwise publish proposed  
671 rules.

672       (5) The notice of proposed rulemaking must include all of  
673 the following:

674       (a) The proposed date, time, and location of the meeting in  
675 which the rule or amendment will be considered and voted upon.

676       (b) The text of the proposed rule or amendment and the  
677 reason for the proposed rule.

678       (c) A request for comments on the proposed rule or  
679 amendment from any interested person.

680       (d) The manner in which interested persons may submit  
681 notice to the commission of their intention to attend the public  
682 hearing and any written comments.

683       (6) Before adoption of a proposed rule or amendment, the  
684 commission must allow persons to submit written data, facts,  
685 opinions, and arguments, which must be made available to the  
686 public.

687       (7) The commission must grant an opportunity for a public  
688 hearing before it adopts a rule or an amendment if a hearing is  
689 requested by any of the following:

690       (a) At least 25 persons.

691       (b) A state or federal governmental subdivision or agency.

692       (c) An association having at least 25 members.

693       (8) If a scheduled public hearing is held on the proposed  
694 rule or amendment, the commission must publish the date, time,  
695 and location of the hearing. If the hearing is held through  
696 electronic means, the commission must publish the mechanism for



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697 access to the electronic hearing.

698 (a) All persons wishing to be heard at the hearing must  
699 notify the executive director of the commission or another  
700 designated member in writing of their desire to appear and  
701 testify at the hearing at least 5 business days before the  
702 scheduled date of the hearing.

703 (b) Hearings must be conducted in a manner providing each  
704 person who wishes to comment a fair and reasonable opportunity  
705 to comment orally or in writing.

706 (c) All hearings must be recorded. A copy of the recording  
707 must be made available on request.

708 (d) This article may not be construed to require a separate  
709 hearing on each rule. Rules may be grouped for the convenience  
710 of the commission at hearings required by this article.

711 (9) Following the scheduled hearing date, or by the close  
712 of business on the scheduled hearing date if the hearing was not  
713 held, the commission shall consider all written and oral  
714 comments received.

715 (10) If no written notice of intent to attend the public  
716 hearing by interested parties is received, the commission may  
717 proceed with adoption of the proposed rule without a public  
718 hearing.

719 (11) The commission shall, by majority vote of all members,  
720 take final action on the proposed rule and shall determine the  
721 effective date of the rule, if any, based on the rulemaking  
722 record and the full text of the rule.

723 (12) Upon determination that an emergency exists, the  
724 commission may consider and adopt an emergency rule without  
725 prior notice, opportunity for comment, or hearing, provided that

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726 the usual rulemaking procedures provided in the compact and in  
727 this article are retroactively applied to the rule as soon as  
728 reasonably possible, in no event later than 90 days after the  
729 effective date of the rule. For the purposes of this subsection,  
730 an emergency rule is one that must be adopted immediately in  
731 order to do any of the following:

732 (a) Meet an imminent threat to public health, safety, or  
733 welfare.

734 (b) Prevent a loss of commission or member state funds.

735 (c) Meet a deadline for the adoption of an administrative  
736 rule established by federal law or rule.

737 (d) Protect public health and safety.

738 (13) The commission or an authorized committee of the  
739 commission may direct revisions to a previously adopted rule or  
740 amendment for purposes of correcting typographical errors,  
741 errors in format, errors in consistency, or grammatical errors.  
742 Public notice of any revisions must be posted on the website of  
743 the commission. The revision is subject to challenge by any  
744 person for a period of 30 days after posting. The revision may  
745 be challenged only on grounds that the revision results in a  
746 material change to a rule. A challenge must be made in writing  
747 and delivered to the chair of the commission before the end of  
748 the notice period. If a challenge is not made, the revision  
749 takes effect without further action. If the revision is  
750 challenged, the revision may not take effect without the  
751 approval of the commission.

752  
753 ARTICLE X

754 OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

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(1) OVERSIGHT.—

(a) The executive, legislative, and judicial branches of state government in each member state shall enforce the compact and take all actions necessary and appropriate to carry out the compact's purposes and intent. The provisions of the compact and the rules adopted pursuant thereto have standing as statutory law.

(b) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the compact which may affect the powers, responsibilities, or actions of the commission.

(c) The commission is entitled to receive service of process in any such proceeding and has standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission renders a judgment or an order void as to the commission, the compact, or the adopted rules.

(2) DEFAULT, TECHNICAL ASSISTANCE, AND TERMINATION.—

(a) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under the compact or the adopted rules, the commission must do all of the following:

1. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default, and any other action to be taken by the commission.

2. Provide remedial training and specific technical assistance regarding the default.

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784 (b) If a state in default fails to cure the default, the  
785 defaulting state may be terminated from the compact upon an  
786 affirmative vote of a majority of the member states, and all  
787 rights, privileges, and benefits conferred by the compact may be  
788 terminated on the effective date of termination. A cure of the  
789 default does not relieve the offending state of obligations or  
790 liabilities incurred during the period of default.

791 (c) Termination of membership in the compact may be imposed  
792 only after all other means of securing compliance have been  
793 exhausted. The commission shall give notice of intent to suspend  
794 or terminate a defaulting member state to the governor and  
795 majority and minority leaders of the defaulting state's  
796 legislature, and to each of the member states.

797 (d) A state that has been terminated from the compact is  
798 responsible for all assessments, obligations, and liabilities  
799 incurred through the effective date of termination, including  
800 obligations that extend beyond the effective date of  
801 termination.

802 (e) The commission will not bear any costs related to a  
803 state that is found to be in default or that has been terminated  
804 from the compact, unless agreed upon in writing between the  
805 commission and the defaulting state.

806 (f) The defaulting state may appeal the action of the  
807 commission by petitioning the U.S. District Court for the  
808 District of Columbia or the federal district where the  
809 commission has its principal offices. The prevailing member  
810 shall be awarded all costs of such litigation, including  
811 reasonable attorney fees.

812 (3) DISPUTE RESOLUTION.-

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813 (a) Upon request by a member state, the commission must  
814 attempt to resolve disputes related to the compact which arise  
815 among member states and between member and nonmember states.

816 (b) The commission shall adopt a rule providing for both  
817 mediation and binding dispute resolution for disputes as  
818 appropriate.

819 (4) ENFORCEMENT.—

820 (a) The commission shall, in the reasonable exercise of its  
821 discretion, enforce the compact and the commission's rules.

822 (b) By majority vote, the commission may initiate legal  
823 action in the United States District Court for the District of  
824 Columbia or the federal district where the commission has its  
825 principal offices against a member state in default to enforce  
826 compliance with the provisions of the compact and its adopted  
827 rules and bylaws. The relief sought may include both injunctive  
828 relief and damages. In the event judicial enforcement is  
829 necessary, the prevailing member must be awarded all costs of  
830 such litigation, including reasonable attorney fees.

831 (c) The remedies under this article are not the exclusive  
832 remedies of the commission. The commission may pursue any other  
833 remedies available under federal or state law.

834

835 ARTICLE XI

836 DATE OF IMPLEMENTATION OF THE OCCUPATIONAL THERAPY COMPACT AND  
837 ASSOCIATED RULES; WITHDRAWAL; AND AMENDMENTS

838

839 (1) The compact becomes effective on the date that the  
840 compact statute is enacted into law in the tenth member state.  
841 The provisions that become effective at that time are limited to

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842 the powers granted to the commission relating to assembly and  
843 the adoption of rules. Thereafter, the commission shall meet and  
844 exercise rulemaking powers necessary for the implementation and  
845 administration of the compact.

846 (2) Any state that joins the compact subsequent to the  
847 commission's initial adoption of the rules is subject to the  
848 rules as they exist on the date that the compact becomes law in  
849 that state. Any rule that has been previously adopted by the  
850 commission has the full force and effect of law on the day the  
851 compact becomes law in that state.

852 (3) Any member state may withdraw from the compact by  
853 enacting a statute repealing the same.

854 (a) A member state's withdrawal does not take effect until  
855 6 months after enactment of the repealing statute.

856 (b) Withdrawal does not affect the continuing requirement  
857 of the withdrawing state's occupational therapy licensing board  
858 to comply with the investigative and adverse action reporting  
859 requirements of this act before the effective date of  
860 withdrawal.

861 (4) The compact may not be construed to invalidate or  
862 prevent any occupational therapy licensure agreement or other  
863 cooperative arrangement between a member state and a nonmember  
864 state which does not conflict with the provisions of the  
865 compact.

866 (5) The compact may be amended by the member states. An  
867 amendment to the compact does not become effective and binding  
868 upon any member state until it is enacted into the laws of all  
869 member states.

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ARTICLE XIICONSTRUCTION AND SEVERABILITY

The compact must be liberally construed so as to carry out the purposes thereof. The provisions of the compact are severable, and, if any phrase, clause, sentence, or provision of the compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of the compact and the applicability thereof to any government, agency, person, or circumstance is not affected thereby. If the compact is held contrary to the constitution of any member state, the compact remains in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

ARTICLE XIIIBINDING EFFECT OF COMPACT AND OTHER LAWS

(1) A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

(2) Nothing herein prevents the enforcement of any other law of a member state which is not inconsistent with the compact.

(3) Any law in a member state in conflict with the compact is superseded to the extent of the conflict.

(4) Any lawful action of the commission, including all

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900 rules and bylaws adopted by the commission, is binding upon the  
901 member states.

902 (5) All agreements between the commission and the member  
903 states are binding in accordance with their terms.

904 (6) In the event any provision of the compact exceeds the  
905 constitutional limits imposed on the legislature of any member  
906 state, the provision is ineffective to the extent of the  
907 conflict with the constitutional provision in question in that  
908 member state.

909 Section 2. Paragraph (b) of subsection (10) of section  
910 456.073, Florida Statutes, is amended to read:

911 456.073 Disciplinary proceedings.—Disciplinary proceedings  
912 for each board shall be within the jurisdiction of the  
913 department.

914 (10)

915 (b) The department shall report any significant  
916 investigation information relating to a nurse holding a  
917 multistate license to the coordinated licensure information  
918 system pursuant to s. 464.0095; any investigative information  
919 relating to an audiologist or a speech-language pathologist  
920 holding a compact privilege under the Audiology and Speech-  
921 Language Pathology Interstate Compact to the data system  
922 pursuant to s. 468.1335; any investigative information relating  
923 to an occupational therapist or occupational therapy assistant  
924 holding a compact privilege under the Occupational Therapy  
925 Licensure Compact to the data system pursuant to s. 468.226; any  
926 investigative information relating to a physical therapist or  
927 physical therapist assistant holding a compact privilege under  
928 the Physical Therapy Licensure Compact to the data system



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929 pursuant to s. 486.112; any significant investigatory  
930 information relating to a psychologist practicing under the  
931 Psychology Interjurisdictional Compact to the coordinated  
932 licensure information system pursuant to s. 490.0075; and any  
933 significant investigatory information relating to a health care  
934 practitioner practicing under the Professional Counselors  
935 Licensure Compact to the data system pursuant to s. 491.017.

936 Section 3. Subsection (5) of section 456.076, Florida  
937 Statutes, is amended to read:

938 456.076 Impaired practitioner programs.—

939 (5) A consultant shall enter into a participant contract  
940 with an impaired practitioner and shall establish the terms of  
941 monitoring and shall include the terms in a participant  
942 contract. In establishing the terms of monitoring, the  
943 consultant may consider the recommendations of one or more  
944 approved evaluators, treatment programs, or treatment providers.  
945 A consultant may modify the terms of monitoring if the  
946 consultant concludes that, through the course of monitoring,  
947 ~~that~~ extended, additional, or amended terms of monitoring are  
948 required for the protection of the health, safety, and welfare  
949 of the public. If the impaired practitioner is an audiologist or  
950 a speech-language pathologist practicing under the Audiology and  
951 Speech-Language Pathology Interstate Compact pursuant to s.  
952 468.1335, an occupational therapist or occupational therapy  
953 assistant practicing under the Occupational Therapy Licensure  
954 Compact pursuant to s. 468.226, a physical therapist or physical  
955 therapist assistant practicing under the Physical Therapy  
956 Licensure Compact pursuant to s. 486.112, a psychologist  
957 practicing under the Psychology Interjurisdictional Compact

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958 pursuant to s. 490.0075, or a health care practitioner  
959 practicing under the Professional Counselors Licensure Compact  
960 pursuant to s. 491.017, the terms of the monitoring contract  
961 must include the impaired practitioner's withdrawal from all  
962 practice under the compact unless authorized by a member state.

963 Section 4. Subsection (6) is added to section 468.205,  
964 Florida Statutes, to read:

965 468.205 Board of Occupational Therapy Practice.—

966 (6) The board shall appoint an individual to serve as the  
967 state's delegate on the Occupational Therapy Compact Commission,  
968 as required under s. 468.226.

969 Section 5. Section 468.207, Florida Statutes, is amended to  
970 read:

971 468.207 License required.—~~A No person may not shall~~  
972 practice occupational therapy or hold himself or herself out as  
973 an occupational therapist or an occupational therapy assistant  
974 or as being able to practice occupational therapy or to render  
975 occupational therapy services in this ~~the~~ state unless he or she  
976 is licensed in accordance with this part or holds a compact  
977 privilege in this state under the Occupational Therapy Licensure  
978 Compact as specified in s. 468.226 ~~the provisions of this act.~~

979 Section 6. Subsection (6) is added to section 468.209,  
980 Florida Statutes, to read:

981 468.209 Requirements for licensure.—

982 (6) A person licensed as an occupational therapist or an  
983 occupational therapy assistant in another state who is  
984 practicing in this state under the Occupational Therapy  
985 Licensure Compact pursuant to s. 468.226, and only within the  
986 scope provided therein, is exempt from the licensure

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987 requirements of this section.

988 Section 7. Subsections (1) and (2) of section 468.1755,  
989 Florida Statutes, are amended to read:

990 468.1755 Disciplinary proceedings.—

991 (1) The following acts constitute grounds for denial of a  
992 license or disciplinary action, as specified in s. 456.072(2) or  
993 s. 468.226:

994 (a) Violation of any provision of s. 456.072(1) or s.  
995 468.1745(1).

996 (b) Attempting to procure a license to practice nursing  
997 home administration by bribery, by fraudulent misrepresentation,  
998 or through an error of the department or the board.

999 (c) Having a license to practice nursing home  
1000 administration revoked, suspended, or otherwise acted against,  
1001 including the denial of licensure, by the licensing authority of  
1002 another state, territory, or country.

1003 (d) Being convicted or found guilty, regardless of  
1004 adjudication, of a crime in any jurisdiction which relates to  
1005 the practice of nursing home administration or the ability to  
1006 practice nursing home administration. Any plea of nolo  
1007 contendere shall be considered a conviction for purposes of this  
1008 part.

1009 (e) Making or filing a report or record which the licensee  
1010 knows to be false, intentionally failing to file a report or  
1011 record required by state or federal law, willfully impeding or  
1012 obstructing such filing, or inducing another person to impede or  
1013 obstruct such filing. Such reports or records shall include only  
1014 those which are signed in the capacity of a licensed nursing  
1015 home administrator.

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1016 (f) Authorizing the discharge or transfer of a resident for  
1017 a reason other than those provided in ss. 400.022 and 400.0255.

1018 (g) Advertising goods or services in a manner which is  
1019 fraudulent, false, deceptive, or misleading in form or content.

1020 (h) Fraud or deceit, negligence, incompetence, or  
1021 misconduct in the practice of nursing home administration.

1022 (i) Violation of a lawful order of the board or department  
1023 previously entered in a disciplinary hearing or failing to  
1024 comply with a lawfully issued subpoena of the board or  
1025 department.

1026 (j) Practicing with a revoked, suspended, inactive, or  
1027 delinquent license.

1028 (k) Repeatedly acting in a manner inconsistent with the  
1029 health, safety, or welfare of the patients of the facility in  
1030 which he or she is the administrator.

1031 (l) Being unable to practice nursing home administration  
1032 with reasonable skill and safety to patients by reason of  
1033 illness, drunkenness, use of drugs, narcotics, chemicals, or any  
1034 other material or substance or as a result of any mental or  
1035 physical condition. In enforcing this paragraph, upon a finding  
1036 of the State Surgeon General or his or her designee that  
1037 probable cause exists to believe that the licensee is unable to  
1038 serve as a nursing home administrator due to the reasons stated  
1039 in this paragraph, the department shall have the authority to  
1040 issue an order to compel the licensee to submit to a mental or  
1041 physical examination by a physician designated by the  
1042 department. If the licensee refuses to comply with such order,  
1043 the department's order directing such examination may be  
1044 enforced by filing a petition for enforcement in the circuit

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1045 court where the licensee resides or serves as a nursing home  
1046 administrator. The licensee against whom the petition is filed  
1047 may ~~shall~~ not be named or identified by initials in any public  
1048 court records or documents, and the proceedings must ~~shall~~ be  
1049 closed to the public. The department is ~~shall be~~ entitled to the  
1050 summary procedure provided in s. 51.011. A licensee affected  
1051 under this paragraph must ~~shall~~ have the opportunity, at  
1052 reasonable intervals, to demonstrate that he or she can resume  
1053 the competent practice of nursing home administration with  
1054 reasonable skill and safety to patients.

1055 (m) Willfully or repeatedly violating any of the provisions  
1056 of the law, code, or rules of the licensing or supervising  
1057 authority or agency of the state or political subdivision  
1058 thereof having jurisdiction of the operation and licensing of  
1059 nursing homes.

1060 (n) Paying, giving, causing to be paid or given, or  
1061 offering to pay or to give to any person a commission or other  
1062 valuable consideration for the solicitation or procurement,  
1063 either directly or indirectly, of nursing home usage.

1064 (o) Willfully permitting unauthorized disclosure of  
1065 information relating to a patient or his or her records.

1066 (p) Discriminating with respect to patients, employees, or  
1067 staff on account of race, religion, color, sex, or national  
1068 origin.

1069 (q) Failing to implement an ongoing quality assurance  
1070 program directed by an interdisciplinary team that meets at  
1071 least every other month.

1072 (r) Violating any provision of this chapter or chapter 456,  
1073 or any rules adopted pursuant thereto.

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1074           (2) (a) The board may enter an order denying licensure or  
1075 imposing any of the penalties in s. 456.072(2) against any  
1076 applicant for licensure or licensee who is found guilty of  
1077 violating any provision of subsection (1) of this section or who  
1078 is found guilty of violating any provision of s. 456.072(1).

1079           (b) The board may take adverse action against an  
1080 occupational therapist's or an occupational therapy assistant's  
1081 compact privilege under the Occupational Therapy Licensure  
1082 Compact pursuant to s. 468.226 and may impose any of the  
1083 penalties in s. 456.072(2) if such occupational therapist or  
1084 occupational therapy assistant commits an act specified in  
1085 subsection (1) or s. 456.072(1).

1086           Section 8. Paragraph (m) is added to subsection (10) of  
1087 section 768.28, Florida Statutes, to read:

1088           768.28 Waiver of sovereign immunity in tort actions;  
1089 recovery limits; civil liability for damages caused during a  
1090 riot; limitation on attorney fees; statute of limitations;  
1091 exclusions; indemnification; risk management programs.—

1092           (10)

1093           (m) For purposes of this section, the individual appointed  
1094 under s. 468.205(6) as the state's delegate on the Occupational  
1095 Therapy Compact Commission, when serving in that capacity  
1096 pursuant to s. 468.226, and any administrator, officer,  
1097 executive director, employee, or representative of the  
1098 Occupational Therapy Compact Commission, when acting within the  
1099 scope of his or her employment, duties, or responsibilities in  
1100 this state, is considered an agent of the state. The commission  
1101 shall pay any claims or judgments pursuant to this section and  
1102 may maintain insurance coverage to pay any such claims or

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1103 judgments.

1104 Section 9. This act shall take effect July 1, 2025.