

1 A bill to be entitled
2 An act relating to health care; amending s. 381.402,
3 F.S.; revising eligibility requirements for the
4 Florida Reimbursement Assistance for Medical Education
5 Program; creating s. 381.403, F.S.; creating the Rural
6 Access to Primary and Preventive Care Grant Program
7 within the Department of Health for a specified
8 purpose; creating s. 381.9856, F.S.; creating the
9 Stroke, Cardiac, and Obstetric Response and Education
10 Grant Program within the Department of Health;
11 amending s. 395.6061, F.S.; providing that rural
12 hospital capital grant improvement program funding may
13 be awarded to rural hospitals to establish mobile care
14 units and telehealth kiosks for specified purposes;
15 amending s. 409.906, F.S.; authorizing Medicaid to
16 reimburse for dental services provided in a mobile
17 dental unit that is owned by, operated by, or
18 contracted with a health access setting or another
19 similar setting or program; amending s. 456.0575,
20 F.S.; requiring a health care practitioner to notify a
21 patient in writing upon referring the patient to
22 certain providers; providing requirements for such
23 notice; providing requirements for a practitioner to
24 confirm network status; providing for health care
25 practitioner disciplinary action under certain

26 conditions; amending s. 456.42, F.S.; revising health
27 care practitioners who may only electronically
28 transmit prescriptions for certain drugs; revising
29 exceptions; providing construction; amending ss.
30 458.347 and 459.022, F.S.; conforming cross-
31 references; amending s. 627.6471, F.S.; requiring
32 certain health insurers to apply payments for services
33 provided by nonpreferred providers toward insureds'
34 deductibles and out-of-pocket maximums if specified
35 conditions are met; amending s. 466.001, F.S.;
36 revising legislative purpose and intent; amending s.
37 466.002, F.S.; providing applicability; amending s.
38 466.003, F.S.; defining the terms "dental therapist"
39 and "dental therapy"; amending s. 466.004, F.S.;
40 requiring the chair of the Board of Dentistry to
41 appoint a Council on Dental Therapy, effective after a
42 specified timeframe; providing for membership,
43 meetings, and the purpose of the council; amending s.
44 466.006, F.S.; revising the definitions of the terms
45 "full-time practice" and "full-time practice of
46 dentistry within the geographic boundaries of this
47 state within 1 year" to include full-time faculty
48 members of certain dental therapy schools; amending s.
49 466.009, F.S.; requiring the Department of Health to
50 allow any person who fails the dental therapy

51 examination to retake the examination; providing that
52 a person who fails a practical or clinical examination
53 to practice dental therapy and who has failed one part
54 or procedure of the examination may be required to
55 retake only that part or procedure to pass the
56 examination; amending s. 466.011, F.S.; requiring the
57 board to certify an applicant for licensure as a
58 dental therapist; creating s. 466.0136, F.S.;
59 requiring the board to require each licensed dental
60 therapist to complete a specified number of hours of
61 continuing education; requiring the board to adopt
62 rules and guidelines; authorizing the board to excuse
63 licensees from continuing education requirements in
64 certain circumstances; amending s. 466.016, F.S.;
65 requiring a practitioner of dental therapy to post and
66 display her or his license in each office where she or
67 he practices; amending s. 466.017, F.S.; requiring the
68 board to adopt certain rules relating to dental
69 therapists; authorizing a dental therapist to
70 administer local anesthesia under certain
71 circumstances; authorizing a dental therapist under
72 the direct supervision of a dentist to perform certain
73 duties if specified requirements are met; authorizing
74 a dental therapist providing services in a mobile
75 dental unit under the general supervision of a dentist

76 to perform certain duties if specified requirements
77 are met; requiring a dental therapist to notify the
78 board in writing within a specified timeframe after
79 specified adverse incidents; requiring a complete
80 written report to be filed with the board within a
81 specified timeframe; providing for disciplinary action
82 of a dental therapist; amending s. 466.018, F.S.;
83 providing that a dentist of record remains primarily
84 responsible for the dental treatment of a patient
85 regardless of whether the treatment is provided by a
86 dental therapist; requiring that the initials of a
87 dental therapist who renders treatment to a patient be
88 placed in the record of the patient; creating s.
89 466.0225, F.S.; providing application requirements and
90 examination and licensure qualifications for dental
91 therapists; creating s. 466.0227, F.S.; authorizing a
92 dental therapist to perform specified services under
93 the general supervision of a dentist under certain
94 conditions; requiring that a collaborative management
95 agreement be signed by a supervising dentist and a
96 dental therapist and to include certain information;
97 requiring the supervising dentist to determine the
98 number of hours of practice that a dental therapist
99 must complete before performing certain authorized
100 services; authorizing a supervising dentist to

101 restrict or limit the dental therapist's practice in a
102 collaborative management agreement; providing that a
103 supervising dentist may authorize a dental therapist
104 to provide dental therapy services to a patient before
105 the dentist examines or diagnoses the patient under
106 certain conditions; requiring a supervising dentist to
107 be licensed and practicing in this state; specifying
108 that the supervising dentist is responsible for
109 certain services; amending s. 466.023, F.S.;
110 authorizing dental hygienists to use a dental diode
111 laser for specified purposes under certain
112 circumstances; providing requirements for the use of
113 such laser by dental hygienists; amending s. 466.026,
114 F.S.; providing criminal penalties; amending s.
115 466.028, F.S.; revising grounds for denial of a
116 license or disciplinary action to include the practice
117 of dental therapy; amending s. 466.0285, F.S.;
118 prohibiting persons other than licensed dentists from
119 employing a dental therapist in the operation of a
120 dental office and from controlling the use of any
121 dental equipment or material in certain circumstances;
122 amending s. 921.0022, F.S.; conforming a provision to
123 changes made by the act; requiring the department, in
124 consultation with the board and the Agency for Health
125 Care Administration, to provide reports to the

Legislature by specified dates; requiring that certain information and recommendations be included in the reports; providing an effective date.

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

Section 1. Paragraph (h) is added to subsection (2) of section 381.402, Florida Statutes, and paragraph (b) of subsection (3) of that section is amended, to read:

381.402 Florida Reimbursement Assistance for Medical Education Program.—

(2) The following licensed or certified health care practitioners are eligible to participate in the program:

(h) Subject to specific appropriation, medical doctors or doctors of osteopathic medicine who are board certified or board eligible in emergency medicine and employed by or under contract with a rural hospital as defined in s. 395.602(2)(b) or a rural emergency hospital as defined in s. 395.607(1)(a) to provide medical care in the rural hospital's or rural emergency hospital's emergency department.

Primary care medical specialties for physicians include obstetrics, gynecology, general and family practice, geriatrics, internal medicine, pediatrics, psychiatry, and other specialties which may be identified by the Department of Health.

151 (3) From the funds available, the Department of Health
152 shall make payments as follows:

153 (b) All payments are contingent on continued proof of:

154 1.a. Primary care practice in a rural hospital as defined
155 in s. 395.602(2)(b) or an underserved area designated by the
156 Department of Health, provided the practitioner accepts Medicaid
157 reimbursement if eligible for such reimbursement; ~~or~~

158 b. Subject to specific appropriation, emergency medicine
159 practice in a rural hospital as defined in s. 395.602(2)(b) or
160 rural emergency hospital as defined in s. 395.607(1)(a),
161 provided the practitioner accepts Medicaid reimbursement if
162 eligible for such reimbursement; or

163 ~~c.b.~~ For practitioners other than physicians, practice in
164 other settings, including, but not limited to, a nursing home
165 facility as defined in s. 400.021, a home health agency as
166 defined in s. 400.462, or an intermediate care facility for the
167 developmentally disabled as defined in s. 400.960. Any such
168 setting must be located in, or serve residents or patients in,
169 an underserved area designated by the Department of Health and
170 must provide services to Medicaid patients.

171 2. Providing 25 hours annually of volunteer ~~primary care~~
172 services within the practitioner's scope of practice in a free
173 clinic as specified in s. 766.1115(3)(d)14. or through another
174 volunteer program operated ~~by the state~~ pursuant to part IV of
175 chapter 110 and approved by the department. In order to meet the

requirements of this subparagraph, the volunteer hours must be verifiable in a manner determined by the department.

Section 2. Section 381.403, Florida Statutes, is created to read:

381.403 Rural Access to Primary and Preventive Care Grant Program.—The Legislature recognizes that access to primary and preventive health care is critical for the well-being of the residents of this state. The Legislature also recognizes that many rural areas of this state have significantly fewer available physicians, physician assistants, and autonomous advanced practice registered nurses who serve those areas. To increase the availability of health care in such underserved rural areas, there is created the Rural Access to Primary and Preventive Care Grant Program within the Department of Health to use grants to incentivize the creation or expansion of health care practices in those areas.

(1) As used in this section, the term:

(a) "Autonomous advanced practice registered nurse" means an advanced practice registered nurse who is registered under s. 464.0123 to engage in autonomous practice.

(b) "Majority ownership" means ownership of more than 50 percent of the interests in a private practice.

(c) "Physician" means a physician licensed under chapter 458 or chapter 459.

(d) "Physician assistant" means a physician assistant

201 licensed under chapter 458 or chapter 459 to perform medical
202 services delegated by a supervising physician.

203 (e) "Preventive care" means routine health care services
204 designed to prevent illness. The term includes, but is not
205 limited to, general physical examinations provided on an annual
206 basis, screenings for acute or chronic illnesses, and patient
207 counseling to promote overall wellness and avoid the need for
208 emergency services.

209 (f) "Primary care" means health care services focused
210 primarily on preventive care, wellness care, and treatment for
211 common illnesses. The term may include the health care provider
212 serving as a patient's entry point into the overall health care
213 system and coordinating a patient's care among specialists or
214 acute care settings. The term does not include elective services
215 provided solely for cosmetic purposes.

216 (g) "Program" means the Rural Access to Primary and
217 Preventive Care Grant Program.

218 (h) "Qualifying rural area" means a rural community as
219 defined in s. 288.0657 in this state which is also designated as
220 a health professional shortage area by the Health Resources and
221 Services Administration of the United States Department of
222 Health and Human Services.

223 (2) The department shall award grants under the program to
224 physicians, physician assistants, and autonomous advanced
225 practice registered nurses who intend to open a new private

226 practice in a qualifying rural area or who intend to open a new
227 location within a qualifying rural area if the current private
228 practice is located in a different county. To qualify for a
229 grant, an applicant must meet all of the following criteria:

230 (a) The practice must:

231 1. Have majority ownership by physicians, physician
232 assistants, or autonomous advanced practice registered nurses,
233 or a combination thereof.

234 2. Be physically located in a qualifying rural area and
235 serve at that location patients who live in that qualifying
236 rural area or in other nearby qualifying rural areas. The
237 practice may also serve patients who reside outside of a
238 qualifying rural area. While the practice may use telehealth to
239 supplement the services provided at the location, the majority
240 of services provided by the practice must be provided in-person
241 at the physical location.

242 3. Accept Medicaid patients.

243 4. Provide services solely in primary care or preventative
244 care, except that a physician, and any nurse licensed under
245 chapter 464 or any physician assistant supervised by the
246 physician, may provide services at the practice in primary care
247 or preventative care, or services that are within the
248 practitioner's scope of practice based on the physician's board-
249 certified specialty in obstetrics, gynecology, general and
250 family practice, geriatrics, internal medicine, pediatrics, or

251 psychiatry.

252 (b) The owners of the practice must commit to providing
253 the following information to the department on an annual basis,
254 and upon request by the department, for the duration of the
255 contract entered into pursuant to subsection (6):

256 1. Deidentified patient encounter data.

257 2. A detailed report on the use of grant funds until such
258 funds are expended.

259 (3) By March 1, 2026, the department shall create an
260 application process for eligible physicians, physician
261 assistants, and autonomous advanced practice registered nurses
262 to apply for grants under the program. The application must
263 require a detailed budget of anticipated use of grant funds and
264 how the new or existing practice will meet the requirements of
265 subsection (2). The department shall establish a ranking system
266 to determine which applicants will be awarded grants if there
267 are more applicants for the program than can be awarded grants
268 with available appropriated funds.

269 (4) Subject to specific appropriation, the department may
270 award grants of up to \$250,000 to eligible applicants. Only one
271 grant may be awarded per practice. Grant funds awarded for
272 establishing a new private practice or a new practice location
273 may be used for any of the following expenses:

274 (a) Facility construction, acquisition, renovation, or
275 lease.

276 (b) Purchasing medical equipment.

277 (c) Purchasing or implementing information technology
278 equipment or services.

279 (d) Purchasing or implementing telehealth technology.

280 (e) Training on the use of medical equipment, information
281 technology, or telehealth technology implemented under paragraph
282 (b), paragraph (c), or paragraph (d), respectively.

283 (5) Grant funds may not be used for any of the following:

284 (a) Salaries.

285 (b) Utilities.

286 (c) Internet or telecommunications services other than
287 those necessary for implementing telehealth technology under
288 paragraph (4) (d).

289 (d) Insurance.

290 (e) Incidental maintenance and repairs.

291 (f) Disposable medical supplies.

292 (g) Medicines or vaccines.

293 (h) Licensing or certification fees, including costs for
294 continuing education other than training under paragraph (4) (e).

295 (6) The department shall enter into a contract with each
296 grant recipient which details the requirements for the
297 expenditure of grant funds for that recipient. The contract must
298 include, at a minimum, all of the following:

299 (a) The purpose of the contract.

300 (b) Specific performance standards and responsibilities

301 for the recipient under the contract, including penalties for
302 not meeting such performance standards and responsibilities.

303 (c) A detailed project or contract budget, if applicable.

304 (d) Reporting requirements for grant recipients to provide
305 information to the department under paragraph (2)(b) as well as
306 any additional information the department deems necessary for
307 the administration of the program.

308 (7) The department may adopt rules to implement the
309 program.

310 (8) Beginning July 1, 2026, and each year thereafter in
311 which there are outstanding contracts with grant recipients
312 under subsection (6), the department shall provide a report to
313 the Governor, the President of the Senate, and the Speaker of
314 the House of Representatives which includes, but need not be
315 limited to, all of the following:

316 (a) Each grant awarded, including the proposed uses for
317 each grant.

318 (b) The progress on each outstanding contract.

319 (c) The number of patients residing in rural areas who
320 were served by grant awardees.

321 (d) The number of Medicaid recipients who were served by
322 grant awardees.

323 (e) The number and types of services provided during
324 patient encounters in locations opened under the program.

325 (f) The number of health care practitioners, delineated by

licensure type, providing services in locations opened under the program.

(9) This section is repealed July 1, 2035, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 3. Section 381.9856, Florida Statutes, is created to read:

381.9856 Stroke, Cardiac, and Obstetric Response and Education Grant Program.—

(1) PROGRAM CREATION.—The Stroke, Cardiac, and Obstetric Response and Education (SCORE) Grant Program is created within the Department of Health.

(2) PURPOSE.—The purpose of the program is to improve patient outcomes and the coordination of emergency medical care in rural communities by increasing access to high-quality stroke, cardiac, and obstetric care through the application of technology and innovative training, such as blended learning training programs. Blended learning training programs ensure that participants gain both the theoretical foundations of diagnosis and management as well as real-world clinical experience through scenario-based learning, ultimately enhancing decisionmaking and patient outcomes.

(3) DEFINITIONS.—As used in this section, the term:

(a) "Blended learning training program" means a structured educational model that uses blended learning methodologies, including simulation-based training, virtual reality, and

351 distance learning technologies, in conjunction with hands-on
352 instruction, such as simulation-based practice, and in-person
353 skills sessions to provide comprehensive education.

354 (b) "High-risk care provider" means a licensed health care
355 facility or licensed ambulance service that regularly provides
356 emergency or ongoing care to patients experiencing a stroke,
357 heart attack, or pregnancy-related emergency.

358 (c) "Rural community" has the same meaning as provided in
359 s. 288.0657.

360 (4) GRANT PROGRAM REQUIREMENTS.—

361 (a) The department shall award grants to high-risk care
362 providers serving rural communities to accomplish at least one
363 of the following initiatives:

364 1. Implement a blended learning training program for
365 health care providers in stroke care protocols and best
366 practices.

367 2. Purchase simulation equipment and technology for
368 training.

369 3. Establish telehealth capabilities between prehospital
370 providers, such as paramedics or emergency medical technicians,
371 and in-hospital providers, such as neurologists, to expedite
372 emergency stroke care, emergency cardiac care, or emergency
373 obstetric care.

374 4. Develop quality improvement programs in one or more of
375 the following specialty areas: emergency stroke care, emergency

376 cardiac care, or emergency obstetric care.

377 (b) Priority must be given to proposals that:

378 1. Demonstrate collaboration between prehospital and in-
379 hospital providers; or

380 2. Show potential for significant improvement in patient
381 outcomes in rural communities.

382 (5) FUNDING LIMITS; REPORTING.—

383 (a) Individual grants may not exceed \$100,000 per year.

384 (b) Grant recipients must submit quarterly reports to the
385 department documenting program activities, expenditures, and
386 outcomes.

387 (6) ADMINISTRATION.—The department shall monitor program
388 implementation and outcomes. The department shall submit an
389 annual report to the Governor, the President of the Senate, and
390 the Speaker of the House of Representatives by December 1 of
391 each year, detailing program implementation and outcomes.

392 (7) RULEMAKING.—The department may adopt rules to
393 implement this section.

394 (8) IMPLEMENTATION.—This section may be implemented only
395 to the extent specifically funded by legislative appropriation.

396 (9) REPEAL.—This section is repealed July 1, 2030, unless
397 reviewed and saved from repeal through reenactment by the
398 Legislature.

399 Section 4. Subsection (2) of section 395.6061, Florida
400 Statutes, is amended to read:

395.6061 Rural hospital capital improvement.—There is established a rural hospital capital improvement grant program.

(2)(a) Each rural hospital as defined in s. 395.602 shall receive a minimum of \$100,000 annually, subject to legislative appropriation, upon application to the Department of Health, for projects to acquire, repair, improve, or upgrade systems, facilities, or equipment. Such projects may include, but are not limited to, the following:

1. Establishing mobile care units to provide primary care services, behavioral health services, or obstetric and gynecological services in rural health professional shortage areas.

2. Establishing telehealth kiosks to provide urgent care and primary care services remotely in rural health professional shortage areas.

(b) As used in this subsection, the term:

1. "Preventive care" means routine health care services designed to prevent illness. The term includes, but is not limited to, general physical examinations provided on an annual basis, screenings for acute or chronic illnesses, and patient counseling to promote overall wellness and avoid the need for emergency services.

2. "Primary care" means health care services focused primarily on preventive care, wellness care, and treatment for common illnesses. The term may include the health care provider

426 serving as a patient's entry point into the overall health care
427 system and coordinating a patient's care among specialists or
428 acute care settings. The term does not include elective services
429 provided solely for cosmetic purposes.

430 3. "Rural health professional shortage area" means a rural
431 community as defined in s. 288.0657 which is also designated as
432 a health professional shortage area by the Health Resources and
433 Services Administration of the United States Department of
434 Health and Human Services.

435 Section 5. Paragraph (c) of subsection (1) of section
436 409.906, Florida Statutes, is amended, and paragraph (e) is
437 added to subsection (6) of that section, to read:

438 409.906 Optional Medicaid services.—Subject to specific
439 appropriations, the agency may make payments for services which
440 are optional to the state under Title XIX of the Social Security
441 Act and are furnished by Medicaid providers to recipients who
442 are determined to be eligible on the dates on which the services
443 were provided. Any optional service that is provided shall be
444 provided only when medically necessary and in accordance with
445 state and federal law. Optional services rendered by providers
446 in mobile units to Medicaid recipients may be restricted or
447 prohibited by the agency. Nothing in this section shall be
448 construed to prevent or limit the agency from adjusting fees,
449 reimbursement rates, lengths of stay, number of visits, or
450 number of services, or making any other adjustments necessary to

451 comply with the availability of moneys and any limitations or
452 directions provided for in the General Appropriations Act or
453 chapter 216. If necessary to safeguard the state's systems of
454 providing services to elderly and disabled persons and subject
455 to the notice and review provisions of s. 216.177, the Governor
456 may direct the Agency for Health Care Administration to amend
457 the Medicaid state plan to delete the optional Medicaid service
458 known as "Intermediate Care Facilities for the Developmentally
459 Disabled." Optional services may include:

460 (1) ADULT DENTAL SERVICES.—

461 (c) However, Medicaid will not provide reimbursement for
462 dental services provided in a mobile dental unit, except for a
463 mobile dental unit:

464 1. Owned by, operated by, or having a contractual
465 agreement with the Department of Health and complying with
466 Medicaid's county health department clinic services program
467 specifications as a county health department clinic services
468 provider.

469 2. Owned by, operated by, or having a contractual
470 arrangement with a federally qualified health center and
471 complying with Medicaid's federally qualified health center
472 specifications as a federally qualified health center provider.

473 3. Rendering dental services to Medicaid recipients, 21
474 years of age and older, at nursing facilities.

475 4. Owned by, operated by, or having a contractual

476 agreement with a state-approved dental educational institution.

477 5. Owned by, operated by, or having a contractual
478 agreement with a health access setting as defined in s. 466.003
479 or a similar setting or program.

480 (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for
481 diagnostic, preventive, or corrective procedures, including
482 orthodontia in severe cases, provided to a recipient under age
483 21, by or under the supervision of a licensed dentist. The
484 agency may also reimburse a health access setting as defined in
485 s. 466.003 for the remediable tasks that a licensed dental
486 hygienist is authorized to perform under s. 466.024(2). Services
487 provided under this program include treatment of the teeth and
488 associated structures of the oral cavity, as well as treatment
489 of disease, injury, or impairment that may affect the oral or
490 general health of the individual. However, Medicaid will not
491 provide reimbursement for dental services provided in a mobile
492 dental unit, except for a mobile dental unit:

493 (e) Owned by, operated by, or having a contractual
494 agreement with a health access setting as defined in s. 466.003
495 or a similar setting or program.

496 Section 6. Subsection (2) of section 456.0575, Florida
497 Statutes, is renumbered as subsection (3), and a new subsection
498 (2) is added to that section to read:

499 456.0575 Duty to notify patients.—

500 (2) A health care practitioner shall notify a patient in

writing upon referring the patient to a nonparticipating
provider for nonemergency services, as those terms are defined
in s. 627.64194(1), or to a provider, as defined in s. 641.47,
that is not under contract with the patient's health maintenance
organization. Such notice must state that the services will be
provided on an out-of-network basis, which may result in
additional cost-sharing responsibilities for the patient, and
such notice must be documented in the patient's medical record.
The practitioner or his or her employee may confirm the referral
provider's participation by contacting the referral provider or
the patient's health insurer or health maintenance organization,
as necessary, or may rely on the online provider directory of
the health insurer or health maintenance organization. Failure
to comply with this subsection, without good cause, shall result
in disciplinary action against the health care practitioner.

Section 7. Subsections (1) and (2) of section 456.42,
Florida Statutes, are renumbered as subsections (2) and (3),
respectively, and present subsection (3) of that section is
renumbered as subsection (1) and amended, to read:

456.42 ~~Written~~ Prescriptions for medicinal drugs.—

(1)~~(3)~~ A health care practitioner licensed by law to
prescribe a medicinal drug who ~~maintains a system of electronic~~
~~health records as defined in s. 408.051(2)(c), or who prescribes~~
medicinal drugs as an owner, an employee, or a contractor of a
licensed health care facility or practice that maintains ~~such a~~

526 system of electronic health records as defined in s.
527 408.051(2)(c) and who is prescribing in his or her capacity as
528 such an owner, an employee, or a contractor, may only
529 electronically transmit prescriptions for such drugs. This
530 requirement applies to such a health care practitioner upon
531 renewal of the health care practitioner's license or by July 1,
532 2026 ~~2021~~, whichever is earlier, but does not apply if:

533 (a) The practitioner prescribes fewer than 100 such
534 prescriptions annually;

535 (b) The practitioner is located in an area for which a
536 state of emergency is declared pursuant to s. 252.36;

537 ~~(a) The practitioner and the dispenser are the same~~
538 ~~entity;~~

539 ~~(b) The prescription cannot be transmitted electronically~~
540 ~~under the most recently implemented version of the National~~
541 ~~Council for Prescription Drug Programs SCRIPT Standard;~~

542 (c) The practitioner has been issued a waiver by the
543 department, not to exceed 1 year in duration, from the
544 requirement to use electronic prescribing due to demonstrated
545 economic hardship, technological limitations that are not
546 reasonably within the control of the practitioner, or another
547 exceptional circumstance demonstrated by the practitioner; or

548 (d) Electronic prescribing is not available due to a
549 temporary technological or electrical failure that is not in the
550 control of the prescribing practitioner, and such failure is

551 documented in the patient record

552 ~~(d) The practitioner reasonably determines that it would~~
553 ~~be impractical for the patient in question to obtain a medicinal~~
554 ~~drug prescribed by electronic prescription in a timely manner~~
555 ~~and such delay would adversely impact the patient's medical~~
556 ~~condition;~~

557 ~~(e) The practitioner is prescribing a drug under a~~
558 ~~research protocol;~~

559 ~~(f) The prescription is for a drug for which the federal~~
560 ~~Food and Drug Administration requires the prescription to~~
561 ~~contain elements that may not be included in electronic~~
562 ~~prescribing;~~

563 ~~(g) The prescription is issued to an individual receiving~~
564 ~~hospice care or who is a resident of a nursing home facility; or~~

565 ~~(h) The practitioner determines that it is in the best~~
566 ~~interest of the patient, or the patient determines that it is in~~
567 ~~his or her own best interest, to compare prescription drug~~
568 ~~prices among area pharmacies. The practitioner must document~~
569 ~~such determination in the patient's medical record.~~

570
571 The department, in consultation with the Board of Medicine, the
572 Board of Osteopathic Medicine, the Board of Podiatric Medicine,
573 the Board of Dentistry, the Board of Nursing, and the Board of
574 Optometry, may adopt rules to implement this subsection. This
575 subsection does not prohibit a pharmacist licensed in this state

576 from filling or refilling a valid prescription submitted
577 electronically or in writing, or require or authorize a change
578 in prescription drug claims adjudication and review procedures
579 by payors related to filling or refilling a valid prescription
580 submitted electronically or in writing. This subsection does not
581 prohibit a pharmacist licensed in this state from filling or
582 refilling a valid prescription issued in writing by a prescriber
583 located in another state.

584 Section 8. Paragraph (e) of subsection (4) of section
585 458.347, Florida Statutes, is amended to read:

586 458.347 Physician assistants.—

587 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

588 (e) A supervising physician may delegate to a fully
589 licensed physician assistant the authority to prescribe or
590 dispense any medication used in the supervising physician's
591 practice unless such medication is listed on the formulary
592 created pursuant to paragraph (f). A fully licensed physician
593 assistant may only prescribe or dispense such medication under
594 the following circumstances:

595 1. A physician assistant must clearly identify to the
596 patient that he or she is a physician assistant.

597 2. The supervising physician must notify the department of
598 his or her intent to delegate, on a department-approved form,
599 before delegating such authority and of any change in
600 prescriptive privileges of the physician assistant. Authority to

601 dispense may be delegated only by a supervising physician who is
602 registered as a dispensing practitioner in compliance with s.
603 465.0276.

604 3. A fully licensed physician assistant may procure
605 medical devices and drugs unless the medication is listed on the
606 formulary created pursuant to paragraph (f).

607 4. The physician assistant must complete a minimum of 10
608 continuing medical education hours in the specialty practice in
609 which the physician assistant has prescriptive privileges with
610 each licensure renewal. Three of the 10 hours must consist of a
611 continuing education course on the safe and effective
612 prescribing of controlled substance medications which is offered
613 by a statewide professional association of physicians in this
614 state accredited to provide educational activities designated
615 for the American Medical Association Physician's Recognition
616 Award Category 1 credit, designated by the American Academy of
617 Physician Assistants as a Category 1 credit, or designated by
618 the American Osteopathic Association as a Category 1-A credit.

619 5. The prescription may be in paper or electronic form but
620 must comply with ss. 456.0392(1) and 456.42(2) ~~456.42(1)~~ and
621 chapter 499 and must contain the physician assistant's name,
622 address, and telephone number and the name of each of his or her
623 supervising physicians. Unless it is a drug or drug sample
624 dispensed by the physician assistant, the prescription must be
625 filled in a pharmacy permitted under chapter 465 and must be

dispensed in that pharmacy by a pharmacist licensed under chapter 465.

6. The physician assistant must note the prescription or dispensing of medication in the appropriate medical record.

Section 9. Paragraph (e) of subsection (4) of section 459.022, Florida Statutes, is amended to read:

459.022 Physician assistants.—

(4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

(e) A supervising physician may delegate to a fully licensed physician assistant the authority to prescribe or dispense any medication used in the supervising physician's practice unless such medication is listed on the formulary created pursuant to s. 458.347. A fully licensed physician assistant may only prescribe or dispense such medication under the following circumstances:

1. A physician assistant must clearly identify to the patient that she or he is a physician assistant.

2. The supervising physician must notify the department of her or his intent to delegate, on a department-approved form, before delegating such authority and of any change in prescriptive privileges of the physician assistant. Authority to dispense may be delegated only by a supervising physician who is registered as a dispensing practitioner in compliance with s. 465.0276.

3. A fully licensed physician assistant may procure

651 medical devices and drugs unless the medication is listed on the
652 formulary created pursuant to s. 458.347(4)(f).

653 4. The physician assistant must complete a minimum of 10
654 continuing medical education hours in the specialty practice in
655 which the physician assistant has prescriptive privileges with
656 each licensure renewal. Three of the 10 hours must consist of a
657 continuing education course on the safe and effective
658 prescribing of controlled substance medications which is offered
659 by a provider that has been approved by the American Academy of
660 Physician Assistants and which is designated for the American
661 Medical Association Physician's Recognition Award Category 1
662 credit, designated by the American Academy of Physician
663 Assistants as a Category 1 credit, or designated by the American
664 Osteopathic Association as a Category 1-A credit.

665 5. The prescription may be in paper or electronic form but
666 must comply with ss. 456.0392(1) and 456.42(2) ~~456.42(1)~~ and
667 chapter 499 and must contain the physician assistant's name,
668 address, and telephone number and the name of each of his or her
669 supervising physicians. Unless it is a drug or drug sample
670 dispensed by the physician assistant, the prescription must be
671 filled in a pharmacy permitted under chapter 465, and must be
672 dispensed in that pharmacy by a pharmacist licensed under
673 chapter 465.

674 6. The physician assistant must note the prescription or
675 dispensing of medication in the appropriate medical record.

676 Section 10. Section 466.001, Florida Statutes, is amended
677 to read:

678 466.001 Legislative purpose and intent.—The legislative
679 purpose for enacting this chapter is to ensure that every
680 dentist, dental therapist, or dental hygienist practicing in
681 this state meets minimum requirements for safe practice without
682 undue clinical interference by persons not licensed under this
683 chapter. It is the legislative intent that dental services be
684 provided only in accordance with ~~the provisions of~~ this chapter
685 and not be delegated to unauthorized individuals. It is the
686 further legislative intent that dentists, dental therapists, and
687 dental hygienists who fall below minimum competency or who
688 otherwise present a danger to the public ~~shall~~ be prohibited
689 from practicing in this state. All provisions of this chapter
690 relating to the practice of dentistry, dental therapy, and
691 dental hygiene shall be liberally construed to carry out such
692 purpose and intent.

693 Section 11. Subsections (5) and (6) of section 466.002,
694 Florida Statutes, are amended to read:

695 466.002 Persons exempt from operation of chapter.—~~Nothing~~
696 ~~in~~ This chapter does not ~~shall~~ apply to the following practices,
697 acts, and operations:

698 (5) Students in Florida schools of dentistry, dental
699 therapy, and dental hygiene or dental assistant educational
700 programs, while performing regularly assigned work under the

701 curriculum of such schools or programs.

702 (6) Instructors in Florida schools of dentistry,
703 instructors in dental programs that prepare persons holding
704 D.D.S. or D.M.D. degrees for certification by a specialty board
705 and that are accredited in the United States by January 1, 2005,
706 in the same manner as the board recognizes accreditation for
707 Florida schools of dentistry that are not otherwise affiliated
708 with a Florida school of dentistry, or instructors in Florida
709 schools of dental hygiene, dental therapy, or dental assistant
710 educational programs, while performing regularly assigned
711 instructional duties under the curriculum of such schools or
712 programs. A full-time dental instructor at a dental school or
713 dental program approved by the board may be allowed to practice
714 dentistry at the teaching facilities of such school or program,
715 upon receiving a teaching permit issued by the board, in strict
716 compliance with such rules as are adopted by the board
717 pertaining to the teaching permit and with the established rules
718 and procedures of the dental school or program as recognized in
719 this section.

720 Section 12. Section 466.003, Florida Statutes, is
721 reordered and amended to read:

722 466.003 Definitions.—As used in this chapter, the term:

723 (1) "Board" means the Board of Dentistry.

724 (2)~~(6)~~ "Dental assistant" means a person, other than a
725 dental hygienist, who, under the supervision and authorization

726 of a dentist, provides dental care services directly to a
727 patient. This term does ~~shall~~ not include a certified registered
728 nurse anesthetist licensed under part I of chapter 464.

729 (3)-(4) "Dental hygiene" means the rendering of
730 educational, preventive, and therapeutic dental services
731 pursuant to ss. 466.023 and 466.024 and any related extra-oral
732 procedure required in the performance of such services.

733 (4)-(5) "Dental hygienist" means a person licensed to
734 practice dental hygiene pursuant to this chapter.

735 (5) "Dental therapist" means a person licensed to practice
736 dental therapy pursuant to s. 466.0225.

737 (6) "Dental therapy" means the rendering of services
738 pursuant to s. 466.0227 and any related extraoral services or
739 procedures required in the performance of such services.

740 (7)-(2) "Dentist" means a person licensed to practice
741 dentistry pursuant to this chapter.

742 (8)-(3) "Dentistry" means the healing art which is
743 concerned with the examination, diagnosis, treatment planning,
744 and care of conditions within the human oral cavity and its
745 adjacent tissues and structures. It includes the performance or
746 attempted performance of any dental operation, or oral or oral-
747 maxillofacial surgery and any procedures adjunct thereto,
748 including physical evaluation directly related to such operation
749 or surgery pursuant to hospital rules and regulations. It also
750 includes dental service of any kind gratuitously or for any

751 remuneration paid, or to be paid, directly or indirectly, to any
752 person or agency. The term "dentistry" ~~shall~~ also includes
753 ~~include~~ the following:

754 (a) ~~The Taking of~~ an impression of the human tooth, teeth,
755 or jaws directly or indirectly and by any means or method.

756 (b) Supplying artificial substitutes for the natural teeth
757 or furnishing, supplying, constructing, reproducing, or
758 repairing any prosthetic denture, bridge, appliance, or any
759 other structure designed to be worn in the human mouth except on
760 the written work order of a duly licensed dentist.

761 (c) ~~The Placing of~~ an appliance or structure in the human
762 mouth or the adjusting or attempting to adjust the same.

763 (d) Delivering the same to any person other than the
764 dentist upon whose work order the work was performed.

765 (e) Professing to the public by any method to furnish,
766 supply, construct, reproduce, or repair any prosthetic denture,
767 bridge, appliance, or other structure designed to be worn in the
768 human mouth.

769 (f) Diagnosing, prescribing, or treating or professing to
770 diagnose, prescribe, or treat disease, pain, deformity,
771 deficiency, injury, or physical condition of the human teeth or
772 jaws or oral-maxillofacial region.

773 (g) Extracting or attempting to extract human teeth.

774 (h) Correcting or attempting to correct malformations of
775 teeth or of jaws.

776 (i) Repairing or attempting to repair cavities in the
777 human teeth.

778 (9)~~(7)~~ "Department" means the Department of Health.

779 (10)~~(8)~~ "Digital scanning" means the use of digital
780 technology that creates a computer-generated replica of the hard
781 and soft tissue of the oral cavity using enhanced digital
782 photography, lasers, or other optical scanning devices.

783 (11)~~(9)~~ "Direct supervision" means supervision whereby a
784 dentist diagnoses the condition to be treated, a dentist
785 authorizes the procedure to be performed, a dentist remains on
786 the premises while the procedures are performed, and a dentist
787 approves the work performed before dismissal of the patient.

788 (12)~~(11)~~ "General supervision" means supervision whereby a
789 dentist authorizes the procedures which are being carried out
790 but need not be present when the authorized procedures are being
791 performed. The authorized procedures may also be performed at a
792 place other than the dentist's usual place of practice. The
793 issuance of a written work authorization to a commercial dental
794 laboratory by a dentist does not constitute general supervision.

795 (13)~~(15)~~ "Health access setting" means a program or an
796 institution of the Department of Children and Families, the
797 Department of Health, the Department of Juvenile Justice, a
798 nonprofit community health center, a Head Start center, a
799 federally qualified health center or look-alike as defined by
800 federal law, a school-based prevention program, a clinic

operated by an accredited college of dentistry, or an accredited dental hygiene program in this state if such community service program or institution immediately reports to the Board of Dentistry all violations of s. 466.027, s. 466.028, or other practice act or standard of care violations related to the actions or inactions of a dentist, dental hygienist, or dental assistant engaged in the delivery of dental care in such setting.

(14)~~(10)~~ "Indirect supervision" means supervision whereby a dentist authorizes the procedure and a dentist is on the premises while the procedures are performed.

(15)~~(12)~~ "Irremediable tasks" are those intraoral treatment tasks which, when performed, are irreversible and create unalterable changes within the oral cavity or the contiguous structures or which cause an increased risk to the patient. The administration of anesthetics other than topical anesthesia is considered to be an "irremediable task" for purposes of this chapter.

(16)~~(14)~~ "Oral and maxillofacial surgery" means the specialty of dentistry involving diagnosis, surgery, and adjunctive treatment of diseases, injuries, and defects involving the functional and esthetic aspects of the hard and soft tissues of the oral and maxillofacial regions. This term may not be construed to apply to any individual exempt under s. 466.002(1) .

826 ~~(17)(13)~~ "Remediable tasks" are those intraoral treatment
827 tasks which are reversible and do not create unalterable changes
828 within the oral cavity or the contiguous structures and which do
829 not cause an increased risk to the patient.

830 ~~(18)(16)~~ "School-based prevention program" means
831 preventive oral health services offered at a school by one of
832 the entities described ~~defined~~ in subsection (13) ~~(15)~~ or by a
833 nonprofit organization that is exempt from federal income
834 taxation under s. 501(a) of the Internal Revenue Code, and
835 described in s. 501(c)(3) of the Internal Revenue Code.

836 Section 13. Subsection (2) of section 466.004, Florida
837 Statutes, is amended to read:

838 466.004 Board of Dentistry.—

839 (2) To advise the board, it is the intent of the
840 Legislature that councils be appointed as specified in
841 paragraphs (a)-(d) ~~(a), (b), and (c)~~. The department shall
842 provide administrative support to the councils and shall provide
843 public notice of meetings and agendas ~~agenda~~ of the councils.
844 Councils must ~~shall~~ include at least one board member, who shall
845 serve as chair, ~~the council~~ and must ~~shall~~ include nonboard
846 members. All council members shall be appointed by the board
847 chair. Council members shall be appointed for 4-year terms, and
848 all members are ~~shall be~~ eligible for reimbursement of expenses
849 in the manner of board members.

850 (a) A Council on Dental Hygiene shall be appointed by the

board chair and shall include one dental hygienist member of the board, who shall chair the council, one dental member of the board, and three dental hygienists who are actively engaged in the practice of dental hygiene in this state. In making the appointments, the chair shall consider recommendations from the Florida Dental Hygiene Association. The council shall meet at the request of the board chair, a majority of the members of the board, or the council chair; however, the council must meet at least three times a year. The council is charged with the responsibility of and shall meet for the purpose of developing rules and policies for recommendation to the board, which the board shall consider, on matters pertaining to that part of dentistry consisting of educational, preventive, or therapeutic dental hygiene services; dental hygiene licensure, discipline, or regulation; and dental hygiene education. Rule and policy recommendations of the council must ~~shall~~ be considered by the board at its next regularly scheduled meeting in the same manner in which it considers rule and policy recommendations from designated subcommittees of the board. Any rule or policy proposed by the board pertaining to the specified part of dentistry identified ~~defined~~ by this subsection must ~~shall~~ be referred to the council for a recommendation before final action by the board. The board may take final action on rules pertaining to the specified part of dentistry identified ~~defined~~ by this subsection without a council recommendation if the

876 council fails to submit a recommendation in a timely fashion as
877 prescribed by the board.

878 (b) A Council on Dental Assisting shall be appointed by
879 the board chair and shall include one board member who shall
880 chair the council and three dental assistants who are actively
881 engaged in dental assisting in this state. The council shall
882 meet at the request of the board chair or a majority of the
883 members of the board. The council shall meet for the purpose of
884 developing recommendations to the board on matters pertaining to
885 that part of dentistry related to dental assisting.

886 (c) Effective 28 months after the first dental therapy
887 license is granted by the board, the board chair shall appoint a
888 Council on Dental Therapy, which must include one board member
889 who shall chair the council and three dental therapists who are
890 actively engaged in the practice of dental therapy in this
891 state. The council shall meet at the request of the board chair,
892 a majority of the members of the board, or the council chair;
893 however, the council shall meet at least three times per year.
894 The council is charged with the responsibility of, and shall
895 meet for the purpose of, developing rules and policies for
896 recommendation to the board on matters pertaining to that part
897 of dentistry consisting of educational, preventive, or
898 therapeutic dental therapy services; dental therapy licensure,
899 discipline, or regulation; and dental therapy education. Rule
900 and policy recommendations of the council must be considered by

901 the board at its next regularly scheduled meeting in the same
902 manner in which it considers rule and policy recommendations
903 from designated subcommittees of the board. Any rule or policy
904 proposed by the board pertaining to the specified part of
905 dentistry identified by this subsection must be referred to the
906 council for a recommendation before final action by the board.
907 The board may take final action on rules pertaining to the
908 specified part of dentistry identified by this subsection
909 without a council recommendation if the council fails to submit
910 a recommendation in a timely fashion as prescribed by the board.

911 (d)-(e) With the concurrence of the State Surgeon General,
912 the board chair may create and abolish other advisory councils
913 relating to dental subjects, including, but not limited to:
914 examinations, access to dental care, indigent care, nursing home
915 and institutional care, public health, disciplinary guidelines,
916 and other subjects as appropriate. Such councils shall be
917 appointed by the board chair and shall include at least one
918 board member who shall serve as chair.

919 Section 14. Paragraph (b) of subsection (4) of section
920 466.006, Florida Statutes, is amended to read:

921 466.006 Examination of dentists.—

922 (4) Notwithstanding any other provision of law in chapter
923 456 pertaining to the clinical dental licensure examination or
924 national examinations, to be licensed as a dentist in this
925 state, an applicant must successfully complete both of the

926 following:

927 (b) A practical or clinical examination, which must be the
928 American Dental Licensing Examination produced by the American
929 Board of Dental Examiners, Inc., or its successor entity, if
930 any, which is administered in this state, provided that the
931 board has attained, and continues to maintain thereafter,
932 representation on the board of directors of the American Board
933 of Dental Examiners, the examination development committee of
934 the American Board of Dental Examiners, and such other
935 committees of the American Board of Dental Examiners as the
936 board deems appropriate by rule to assure that the standards
937 established herein are maintained organizationally.

938 1. As an alternative to such practical or clinical
939 examination, an applicant may submit scores from an American
940 Dental Licensing Examination previously administered in a
941 jurisdiction other than this state after October 1, 2011, and
942 such examination results are recognized as valid for the purpose
943 of licensure in this state. A passing score on the American
944 Dental Licensing Examination administered out of state is the
945 same as the passing score for the American Dental Licensing
946 Examination administered in this state. The applicant must have
947 completed the examination after October 1, 2011. This
948 subparagraph may not be given retroactive application.

949 2. If the date of an applicant's passing American Dental
950 Licensing Examination scores from an examination previously

administered in a jurisdiction other than this state under subparagraph 1. is older than 365 days, such scores are nevertheless valid for the purpose of licensure in this state, but only if the applicant demonstrates that all of the following additional standards have been met:

a. The applicant completed the American Dental Licensing Examination after October 1, 2011. This sub-subparagraph may not be given retroactive application.

b. The applicant graduated from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its successor entity, if any, or any other dental accrediting organization recognized by the United States Department of Education. Provided, however, if the applicant did not graduate from such a dental school, the applicant may submit proof of having successfully completed a full-time supplemental general dentistry program accredited by the American Dental Association Commission on Dental Accreditation of at least 2 consecutive academic years at such accredited sponsoring institution. Such program must provide didactic and clinical education at the level of a D.D.S. or D.M.D. program accredited by the American Dental Association Commission on Dental Accreditation. For purposes of this sub-subparagraph, a supplemental general dentistry program does not include an advanced education program in a dental specialty.

c. The applicant currently possesses a valid and active

976 dental license in good standing, with no restriction, which has
977 never been revoked, suspended, restricted, or otherwise
978 disciplined, from another state or territory of the United
979 States, the District of Columbia, or the Commonwealth of Puerto
980 Rico.

981 d. The applicant must disclose to the board during the
982 application process if he or she has been reported to the
983 National Practitioner Data Bank, the Healthcare Integrity and
984 Protection Data Bank, or the American Association of Dental
985 Boards Clearinghouse. This sub-subparagraph does not apply if
986 the applicant successfully appealed to have his or her name
987 removed from the data banks of these agencies.

988 e.(I) (A) The applicant submits proof of having been
989 consecutively engaged in the full-time practice of dentistry in
990 another state or territory of the United States, the District of
991 Columbia, or the Commonwealth of Puerto Rico in the 5 years
992 immediately preceding the date of application for licensure in
993 this state; or

994 (B) If the applicant has been licensed in another state or
995 territory of the United States, the District of Columbia, or the
996 Commonwealth of Puerto Rico for less than 5 years, the applicant
997 submits proof of having been engaged in the full-time practice
998 of dentistry since the date of his or her initial licensure.

999 (II) As used in this section, "full-time practice" is
1000 defined as a minimum of 1,200 hours per year for each year in

1001 the consecutive 5-year period or, when applicable, the period
1002 since initial licensure, and must include any combination of the
1003 following:

1004 (A) Active clinical practice of dentistry providing direct
1005 patient care.

1006 (B) Full-time practice as a faculty member employed by a
1007 dental, dental therapy, or dental hygiene school approved by the
1008 board or accredited by the American Dental Association
1009 Commission on Dental Accreditation.

1010 (C) Full-time practice as a student at a postgraduate
1011 dental education program approved by the board or accredited by
1012 the American Dental Association Commission on Dental
1013 Accreditation.

1014 (III) The board shall develop rules to determine what type
1015 of proof of full-time practice is required and to recoup the
1016 cost to the board of verifying full-time practice under this
1017 section. Such proof must, at a minimum, be:

1018 (A) Admissible as evidence in an administrative
1019 proceeding;

1020 (B) Submitted in writing;

1021 (C) Further documented by an applicant's annual income tax
1022 return filed with the Internal Revenue Service for each year in
1023 the preceding 5-year period or, if the applicant has been
1024 practicing for less than 5 years, the period since initial
1025 licensure; and

1026 (D) Specifically found by the board to be both credible
1027 and admissible.

1028 (IV) The board may excuse applicants from the 1,200-hour
1029 requirement in the event of hardship, as defined by the board.

1030 f. The applicant submits documentation that he or she has
1031 completed, or will complete before he or she is licensed in this
1032 state, continuing education equivalent to this state's
1033 requirements for the last full reporting biennium.

1034 g. The applicant proves that he or she has never been
1035 convicted of, or pled nolo contendere to, regardless of
1036 adjudication, any felony or misdemeanor related to the practice
1037 of a health care profession in any jurisdiction.

1038 h. The applicant has successfully passed a written
1039 examination on the laws and rules of this state regulating the
1040 practice of dentistry and the computer-based diagnostic skills
1041 examination.

1042 i. The applicant submits documentation that he or she has
1043 successfully completed the applicable examination administered
1044 by the Joint Commission on National Dental Examinations or its
1045 successor organization.

1046 Section 15. Subsection (1) of section 466.009, Florida
1047 Statutes, is amended, and subsection (4) is added to that
1048 section, to read:

1049 466.009 Reexamination.—

1050 (1) Any person who fails an examination that is required

1051 under s. 466.006, ~~or~~ s. 466.007, or s. 466.0225 may retake the
1052 examination.

1053 (4) If an applicant for a license to practice dental
1054 therapy fails the practical or clinical examination and she or
1055 he has failed only one part or procedure of such examination,
1056 she or he may be required to retake only that part or procedure
1057 to pass such examination. However, if any such applicant fails
1058 more than one part or procedure of any such examination, she or
1059 he must be required to retake the entire examination.

1060 Section 16. Section 466.011, Florida Statutes, is amended
1061 to read:

1062 466.011 Licensure.—The board shall certify for licensure
1063 by the department any applicant who satisfies the requirements
1064 of s. 466.006, s. 466.0067, ~~or~~ s. 466.007, or s. 466.0225. The
1065 board may refuse to certify an applicant who has violated ~~any of~~
1066 ~~the provisions of~~ s. 466.026 or s. 466.028.

1067 Section 17. Section 466.0136, Florida Statutes, is created
1068 to read:

1069 466.0136 Continuing education; dental therapists.—In
1070 addition to any other requirements for relicensure for dental
1071 therapists specified in this chapter, the board shall require
1072 each licensed dental therapist to complete at least 24 hours,
1073 but not more than 36 hours, biennially of continuing education
1074 in dental subjects in programs approved by the board or in
1075 equivalent programs of continuing education. Programs of

1076 continuing education approved by the board must be programs of
1077 learning which, in the opinion of the board, contribute directly
1078 to the dental education of the dental therapist. An individual
1079 who is licensed as both a dental therapist and a dental
1080 hygienist may use 2 hours of continuing education that is
1081 approved for both dental therapy and dental hygiene education to
1082 satisfy both dental therapy and dental hygiene continuing
1083 education requirements. The board shall adopt rules and
1084 guidelines to administer and enforce this section. The dental
1085 therapist shall retain in her or his records any receipts,
1086 vouchers, or certificates necessary to document completion of
1087 the continuing education. Compliance with the continuing
1088 education requirements is mandatory for issuance of the renewal
1089 certificate. The board may excuse licensees, as a group or as
1090 individuals, from all or part of the continuing education
1091 requirements if an unusual circumstance, emergency, or hardship
1092 prevents compliance with this section.

1093 Section 18. Subsection (1) of section 466.016, Florida
1094 Statutes, is amended to read:

1095 466.016 License to be displayed.—

1096 (1) Every practitioner of dentistry, dental therapy, or
1097 dental hygiene within the meaning of this chapter shall post and
1098 keep conspicuously displayed her or his license in the office
1099 where ~~wherein~~ she or he practices, in plain sight of the
1100 practitioner's patients. Any dentist, dental therapist, or

1101 dental hygienist who practices at more than one location must
1102 display a copy of her or his license in each office where she or
1103 he practices.

1104 Section 19. Section 466.017, Florida Statutes, is amended,
1105 to read:

1106 466.017 Prescription of drugs; anesthesia.—

1107 (1) A dentist shall have the right to prescribe drugs or
1108 medicine, subject to limitations imposed by law; perform
1109 surgical operations within the scope of her or his practice and
1110 training; administer general or local anesthesia or sedation,
1111 subject to limitations imposed by law; and use such appliances
1112 as may be necessary to the proper practice of dentistry.

1113 (2) Pharmacists licensed pursuant to chapter 465 may fill
1114 prescriptions of legally licensed dentists in this state for any
1115 drugs necessary for the practice of dentistry.

1116 (3) The board shall adopt rules which:

1117 (a) Define general anesthesia.

1118 (b) Specify which methods of general or local anesthesia
1119 or sedation, if any, are limited or prohibited for use by
1120 dentists.

1121 (c) Establish minimal training, education, experience, or
1122 certification for a dentist to use general anesthesia or
1123 sedation, which rules may exclude, in the board's discretion,
1124 those dentists using general anesthesia or sedation in a
1125 competent and effective manner as of the effective date of the

1126 rules.

1127 (d) Establish further requirements relating to the use of
1128 general anesthesia or sedation, including, but not limited to,
1129 office equipment and the training of dental assistants, dental
1130 therapists, or dental hygienists who work with dentists using
1131 general anesthesia or sedation.

1132 (e) Establish an administrative mechanism enabling the
1133 board to verify compliance with training, education, experience,
1134 equipment, or certification requirements of dentists, dental
1135 therapists, dental hygienists, and dental assistants adopted
1136 pursuant to this subsection. The board may charge a fee to
1137 defray the cost of verifying compliance with requirements
1138 adopted pursuant to this paragraph.

1139 (4) A dentist, dental therapist, or dental hygienist who
1140 administers or employs the use of any form of anesthesia must
1141 possess a certification in either basic cardiopulmonary
1142 resuscitation for health professionals or advanced cardiac life
1143 support approved by the American Heart Association or the
1144 American Red Cross or an equivalent agency-sponsored course with
1145 recertification every 2 years. Each dental office that ~~which~~
1146 uses any form of anesthesia must have immediately available and
1147 in good working order such resuscitative equipment, oxygen, and
1148 other resuscitative drugs as are specified by rule of the board
1149 in order to manage possible adverse reactions.

1150 (5) A dental hygienist under the direct supervision of a

dentist may administer local anesthesia, including intraoral block anesthesia, soft tissue infiltration anesthesia, or both, to a nonsedated patient who is 18 years of age or older, if the following criteria are met:

(a) The dental hygienist has successfully completed a course in the administration of local anesthesia which is offered by a dental or dental hygiene program accredited by the Commission on Dental Accreditation of the American Dental Association or approved by the board. The course must include a minimum of 30 hours of didactic instruction and 30 hours of clinical experience, and instruction in:

1. Theory of pain control.
2. Selection-of-pain-control modalities.
3. Anatomy.
4. Neurophysiology.
5. Pharmacology of local anesthetics.
6. Pharmacology of vasoconstrictors.
7. Psychological aspects of pain control.
8. Systematic complications.
9. Techniques of maxillary anesthesia.
10. Techniques of mandibular anesthesia.
11. Infection control.
12. Medical emergencies involving local anesthesia.

(b) The dental hygienist presents evidence of current certification in basic or advanced cardiac life support.

1176 (c) The dental hygienist possesses a valid certificate
1177 issued under subsection (8) ~~(6)~~.

1178 (6) A dental therapist, under the direct supervision of a
1179 dentist may administer local anesthesia, including intraoral
1180 block anesthesia, soft tissue infiltration anesthesia, or both,
1181 if the following criteria are met:

1182 (a) The dental therapist has successfully completed a
1183 course in the administration of local anesthesia that meets the
1184 requirements described in paragraph (5) (a).

1185 (b) The dental therapist presents evidence of current
1186 certification in basic or advanced cardiac life support.

1187 (c) The dental therapist possesses a valid certificate
1188 issued under subsection (8).

1189 (7) A dental therapist providing services in a mobile
1190 dental unit may administer local anesthesia, including intraoral
1191 block anesthesia, soft tissue infiltration anesthesia, or both,
1192 under the general supervision of a dentist, if she or he meets
1193 the criteria described in subsection (6).

1194 (8) ~~(6)~~ Any dental therapist or dental hygienist seeking a
1195 certificate to administer local anesthesia must apply to the
1196 department, remit an application fee, and submit proof of
1197 successful completion of a course in the administration of local
1198 anesthesia pursuant to subsection (5). The board shall certify,
1199 and the department shall issue a certificate to, any dental
1200 therapist or dental hygienist who fulfills the qualifications of

subsection (5). The board shall establish a one-time application fee not to exceed \$35. The certificate is not subject to renewal but is part of the dental therapist's or dental hygienist's permanent record and must be prominently displayed at the location where the dental therapist or dental hygienist is authorized to administer local anesthesia. The board shall adopt rules necessary to administer subsections ~~subsection~~ (5), (6), and (7) and this subsection.

~~(9)-(7)~~ A licensed dentist, or a dental therapist who is authorized by her or his supervising dentist, may operate ~~utilize~~ an X-ray machine, expose dental X-ray films, and interpret or read such films. ~~Notwithstanding The provisions of~~ part IV of chapter 468 ~~to the contrary notwithstanding,~~ a licensed dentist, or a dental therapist who is authorized by her or his supervising dentist, may authorize or direct a dental assistant to operate such equipment and expose such films under her or his direction and supervision, pursuant to rules adopted by the board in accordance with s. 466.024 which ensure that the ~~said~~ assistant is competent by reason of training and experience to operate the X-ray ~~said~~ equipment in a safe and efficient manner. The board may charge a fee not to exceed \$35 to defray the cost of verifying compliance with requirements adopted pursuant to this section.

~~(10)-(8)~~ Notwithstanding ~~The provisions of~~ s. 465.0276 ~~notwithstanding,~~ a dentist need not register with the board or

1226 comply with the continuing education requirements of that
1227 section if the dentist confines her or his dispensing activity
1228 to the dispensing of fluorides and chlorhexidine ~~chlorohexidine~~
1229 rinse solutions; provided that the dentist complies with and is
1230 subject to all laws and rules applicable to pharmacists and
1231 pharmacies, including, but not limited to, chapters 465, 499,
1232 and 893, and all applicable federal laws and regulations, when
1233 dispensing such products.

1234 (11)~~(9)~~ Any adverse incident that occurs in an office
1235 maintained by a dentist must be reported to the department. The
1236 required notification to the department must be submitted in
1237 writing by certified mail and postmarked within 48 hours after
1238 the incident occurs.

1239 (12)~~(10)~~ A dentist practicing in this state must notify
1240 the board in writing by certified mail within 48 hours after any
1241 adverse incident that occurs in the dentist's outpatient
1242 facility. A complete written report must be filed with the board
1243 within 30 days after the incident occurs.

1244 (13)~~(11)~~ Any certified registered dental hygienist
1245 administering local anesthesia must notify the board in writing
1246 by registered mail within 48 hours after any adverse incident
1247 that was related to or the result of the administration of local
1248 anesthesia. A complete written report must be filed with the
1249 board within 30 days after the mortality or other adverse
1250 incident.

1251 (14) A dental therapist must notify the board in writing
1252 by registered mail within 48 hours after any adverse incident
1253 related to or resulting from the administration of local
1254 anesthesia. A complete written report must be filed with the
1255 board within 30 days after the mortality or other adverse
1256 incident.

1257 (15)~~(12)~~ A failure by the dentist, dental therapist, or
1258 dental hygienist to timely and completely comply with all the
1259 reporting requirements in this section is the basis for
1260 disciplinary action by the board pursuant to s. 466.028(1).

1261 (16)~~(13)~~ The department shall review each adverse incident
1262 and determine whether it involved conduct by a health care
1263 professional subject to disciplinary action, in which case s.
1264 456.073 applies. Disciplinary action, if any, shall be taken by
1265 the board under which the health care professional is licensed.

1266 (17)~~(14)~~ As used in subsections (11)-(16) ~~(9)-(13)~~, the
1267 term "adverse incident" means any mortality that occurs during
1268 or as the result of a dental procedure, or an incident that
1269 results in a temporary or permanent physical or mental injury
1270 that requires hospitalization or emergency room treatment of a
1271 dental patient which occurs during or as a direct result of the
1272 use of general anesthesia, deep sedation, moderate sedation,
1273 pediatric moderate sedation, oral sedation, minimal sedation
1274 (anxiolysis), nitrous oxide, or local anesthesia.

1275 (18)~~(15)~~ The board may adopt rules to administer this

1276 section.

1277 Section 20. Subsection (1) of section 466.018, Florida
1278 Statutes, is amended to read:

1279 466.018 Dentist of record; patient records.—

1280 (1) Each patient must ~~shall~~ have a dentist of record. The
1281 dentist of record shall remain primarily responsible for all
1282 dental treatment on such patient regardless of whether the
1283 treatment is rendered by that ~~the~~ dentist or by another dentist,
1284 a dental therapist, a dental hygienist, or a dental assistant
1285 rendering such treatment in conjunction with, at the direction
1286 or request of, or under the supervision of such dentist of
1287 record. The dentist of record must ~~shall~~ be identified in the
1288 record of the patient. If treatment is rendered by a dentist
1289 other than the dentist of record or by a dental hygienist,
1290 dental therapist, or dental assistant, the name or initials of
1291 such person must ~~shall~~ be placed in the record of the patient.
1292 In any disciplinary proceeding brought pursuant to this chapter
1293 or chapter 456, it must ~~shall~~ be presumed as a matter of law
1294 that treatment was rendered by the dentist of record unless
1295 otherwise noted on the patient record pursuant to this section.
1296 The dentist of record and any other treating dentist are subject
1297 to discipline pursuant to this chapter or chapter 456 for
1298 treatment rendered to the patient and performed in violation of
1299 such chapter. One of the purposes of this section is to ensure
1300 that the responsibility for each patient is assigned to one

dentist in a multidentist practice of any nature and to assign primary responsibility to the dentist for treatment rendered by a dental hygienist, dental therapist, or dental assistant under her or his supervision. This section may ~~shall~~ not be construed to assign any responsibility to a dentist of record for treatment rendered pursuant to a proper referral to another dentist who does not ~~in~~ practice with the dentist of record or to prohibit a patient from voluntarily selecting a new dentist without permission of the dentist of record.

Section 21. Section 466.0225, Florida Statutes, is created to read:

466.0225 Examination of dental therapists; licensing.—

(1) (a) Any person desiring to be licensed as a dental therapist must apply to the department.

(b) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

(2) The department shall issue a license to an applicant who the board certifies meets all of the following criteria:

(a) Is 18 years of age or older.

(b) Is a graduate of a dental therapy college or school accredited by the American Dental Association Commission on Dental Accreditation or its successor entity, if any, or any other dental therapy accrediting entity recognized by the United States Department of Education. For applicants applying for a dental therapy license before January 1, 2030, the board must

1326 approve the applicant's dental therapy education program if the
1327 program was administered by a college or school that operates an
1328 accredited dental or dental hygiene program and the college or
1329 school certifies to the board that the applicant's education
1330 substantially conformed to the education standards established
1331 by the American Dental Association Commission on Dental
1332 Accreditation or its successor entity.

1333 (c) Has successfully completed a dental therapy practical
1334 or clinical examination produced by the American Board of Dental
1335 Examiners, Inc., or its successor entity, if any, if the board
1336 finds that the successor entity's examination meets or exceeds
1337 the requirements of this section. If an applicant fails to pass
1338 such an examination in three attempts, the applicant is not
1339 eligible to retake the examination unless the applicant
1340 completes additional education requirements as specified by the
1341 board.

1342 (d) Has successfully completed a written examination on
1343 the laws and rules of this state regulating the practice of
1344 dental therapy.

1345 (e) Has not been disciplined by a board, except for
1346 citation offenses or minor violations.

1347 (f) Has not been convicted of or pled nolo contendere to,
1348 regardless of adjudication, any felony or misdemeanor related to
1349 the practice of a health care profession.

1350 (3) An applicant who meets the requirements of this

section and who has successfully completed an examination identified in paragraph (2)(c) in a jurisdiction other than this state, or who has successfully completed a comparable examination administered or approved by the licensing authority in a jurisdiction other than this state, shall be licensed to practice dental therapy in this state if the board determines that the other jurisdiction's examination is substantially similar to those identified in paragraph (2)(c).

Section 22. Section 466.0227, Florida Statutes, is created to read:

466.0227 Dental therapists; scope and area of practice.—

(1) Except as otherwise provided in this chapter, a dental therapist may perform the dental therapy services specified in subsection (2) under the general supervision of a dentist if providing services in a mobile dental unit and under direct supervision of a dentist in all other service scenarios to the extent authorized by the supervising dentist and provided within the terms of a written collaborative management agreement signed by the dental therapist and the supervising dentist which meets the requirements of subsection (3).

(2) The scope of practice of a dental therapist, subject to the terms of a written collaborative management agreement, includes all of the following:

(a) Oral evaluation and assessment of dental disease and formulation of an individualized treatment plan.

- 1376 (b) Identification of oral and systemic conditions
1377 requiring evaluation or treatment by dentists, physicians, or
1378 other health care providers and managing referrals.
- 1379 (c) Comprehensive charting of the oral cavity.
- 1380 (d) Oral health instruction and disease prevention
1381 education, including, but not limited to, nutritional counseling
1382 and dietary analysis.
- 1383 (e) Exposure and evaluation of radiographic images.
- 1384 (f) Dental prophylaxis, including, but not limited to,
1385 subgingival scaling and polishing procedures.
- 1386 (g) Dispensing and administration via the oral or topical
1387 route of nonnarcotic analgesic, anti-inflammatory, and
1388 antibiotic medications as prescribed by a licensed health care
1389 provider.
- 1390 (h) Application of topical preventive or prophylactic
1391 agents, including, but not limited to, fluoride varnish,
1392 antimicrobial agents, caries arresting medicaments, and pit and
1393 fissure sealants.
- 1394 (i) Pulp vitality testing.
- 1395 (j) Application of desensitizing medications or resins.
- 1396 (k) Fabrication of athletic mouth guards and soft occlusal
1397 guards.
- 1398 (l) Changing of periodontal dressings.
- 1399 (m) Administration of local anesthetic and nitrous oxide.
- 1400 (n) Simple extraction of erupted primary teeth.

1401 (o) Nonsurgical extraction of periodontally diseased
1402 permanent teeth with tooth mobility of +3 to +4 to the extent
1403 authorized in the dental therapist's collaborative management
1404 agreement, except for the extraction of a tooth that is
1405 unerupted, impacted, or fractured or that needs to be sectioned
1406 for removal.

1407 (p) Emergency palliative treatment of dental pain limited
1408 to the procedures in this subsection.

1409 (q) Preparation and placement of direct restoration in
1410 primary and permanent teeth.

1411 (r) Fabrication and placement of single-tooth temporary
1412 crowns.

1413 (s) Preparation and placement of preformed crowns on
1414 primary teeth.

1415 (t) Indirect and direct pulp capping on permanent teeth.

1416 (u) Indirect pulp capping on primary teeth.

1417 (v) Intraoral suture placement and removal.

1418 (w) Minor adjustment and repair of removable prostheses.

1419 (x) Placement and removal of space maintainers.

1420 (y) Pulpotomy on primary teeth.

1421 (z) Tooth reimplantation and stabilization.

1422 (aa) Recementing of a permanent crown.

1423 (bb) Additional services, treatments, or procedures as the
1424 board deems appropriate by rule.

1425 (3) Before performing any of the services authorized in

1426 subsection (2), a dental therapist must enter into a written
1427 collaborative management agreement with a supervising dentist.
1428 The agreement must be signed by the dental therapist and the
1429 supervising dentist and must include all of the following
1430 information:

1431 (a) Practice settings where services may be provided by
1432 the dental therapist and the populations to be served by the
1433 dental therapist.

1434 (b) Any limitations on the services that may be provided
1435 by the dental therapist, including the level of supervision
1436 required by the supervising dentist. This may include
1437 telehealth.

1438 (c) Age-specific and procedure-specific practice protocols
1439 for the dental therapist, including case selection criteria,
1440 assessment guidelines, and imaging frequency.

1441 (d) A procedure for creating and maintaining dental
1442 records for the patients who are treated by the dental
1443 therapist.

1444 (e) A plan to manage medical emergencies in each practice
1445 setting where the dental therapist provides care.

1446 (f) A quality assurance plan for monitoring care provided
1447 by the dental therapist, including patient care review, referral
1448 follow-up, and a quality assurance chart review.

1449 (g) Protocols for the dental therapist to administer and
1450 dispense medications, including the specific conditions and

1451 circumstances under which the medications are to be dispensed
1452 and administered.

1453 (h) Criteria relating to the provision of care by the
1454 dental therapist to patients with specific medical conditions or
1455 complex medication histories, including requirements for
1456 consultation before the initiation of care.

1457 (i) Supervision criteria of dental therapists.

1458 (j) A plan for the provision of clinical resources and
1459 referrals in situations that are beyond the capabilities of the
1460 dental therapist.

1461 (4) A supervising dentist shall determine the number of
1462 hours of practice that a dental therapist must complete under
1463 direct or indirect supervision of the supervising dentist before
1464 the dental therapist may perform any of the services authorized
1465 in subsection (2) under general or direct supervision.

1466 (5) A supervising dentist may restrict or limit the dental
1467 therapist's practice in the written collaborative management
1468 agreement to be less than the full scope of practice for dental
1469 therapists which is authorized in subsection (2).

1470 (6) A supervising dentist may authorize a dental therapist
1471 to provide dental therapy services to a patient before the
1472 supervising dentist examines or diagnoses the patient if the
1473 authority, conditions, and protocols are established in a
1474 written collaborative management agreement and if the patient is
1475 subsequently referred to a dentist for any needed additional

1476 services that exceed the dental therapist's scope of practice or
1477 authorization under the collaborative management agreement.

1478 (7) A supervising dentist must be licensed and practicing
1479 in this state. The supervising dentist is responsible for all
1480 services authorized and performed by the dental therapist
1481 pursuant to the collaborative management agreement and for
1482 providing or arranging follow-up services to be provided by a
1483 dentist for any additional services that exceed the dental
1484 therapist's scope of practice or authorization under the
1485 collaborative management agreement.

1486 Section 23. Subsections (8) and (9) are added to section
1487 466.023, Florida Statutes, to read:

1488 466.023 Dental hygienists; scope and area of practice.—

1489 (8) A dental hygienist, under the general supervision of a
1490 licensed dentist, may use a dental diode laser for the purpose
1491 of bacterial reduction or disinfection of gingival sulcus at
1492 settings that preclude hard and soft tissue removal except for
1493 incidental gingival curettage, in a manner consistent with the
1494 dental hygienist's scope of practice, if the following criteria
1495 are met:

1496 (a) The dental hygienist has obtained certification for
1497 the completion of an interactive didactic and clinical training
1498 course that includes laser safety, infection control, patient
1499 management, and the operation of specific lasers used in dental
1500 practice. The course must consist of a minimum of 12 hours of

1501 in-person instruction, including 3 hours of clinical simulation
1502 training, and must be obtained through a course provided or
1503 recognized by the Commission on Dental Accreditation of the
1504 American Dental Association or an organization approved by the
1505 board.

1506 (b) The dental hygienist maintains evidence of obtaining
1507 the required certification which is prominently displayed at the
1508 location where the dental hygienist is authorized to use a
1509 dental diode laser.

1510 (c) The dental hygienist completes 2 hours of continuing
1511 education every 2 years on the use of dental diode lasers in the
1512 practice of dental hygiene.

1513 (d) The dental hygienist provides evidence of completion
1514 of the required certification and continuing education to the
1515 board.

1516 (e) The supervising dentist has received a minimum of 12
1517 hours of education and training on the use of lasers in a dental
1518 setting.

1519 (f) All lasers are used in accordance with accepted safety
1520 guidelines.

1521 (9) When using a dental diode laser pursuant to this
1522 section, a dental hygienist shall document all of the following
1523 information in the patient's record:

1524 (a) The type of laser used, including the wavelength of
1525 the laser.

1526 (b) The settings used, such as pulse or continuous wave,
1527 and the power setting.

1528 (c) Whether local anesthesia was used.

1529 (d) The procedure attempted and performed, including
1530 details as to whether hard or soft tissue was removed.

1531 Section 24. Section 466.026, Florida Statutes, is amended
1532 to read:

1533 466.026 Prohibitions; penalties.—

1534 (1) Each of the following acts constitutes a felony of the
1535 third degree, punishable as provided in s. 775.082, s. 775.083,
1536 or s. 775.084:

1537 (a) Practicing dentistry, dental therapy, or dental
1538 hygiene unless the person has an appropriate, active license
1539 issued by the department pursuant to this chapter.

1540 (b) Using or attempting to use a license issued pursuant
1541 to this chapter which license has been suspended or revoked.

1542 (c) Knowingly employing any person to perform duties
1543 outside the scope allowed such person under this chapter or the
1544 rules of the board.

1545 (d) Giving false or forged evidence to the department or
1546 board for the purpose of obtaining a license.

1547 (e) Selling or offering to sell a diploma conferring a
1548 degree from a dental college, ~~or~~ dental hygiene school or
1549 college, or dental therapy school or college, or a license
1550 issued pursuant to this chapter, or procuring such diploma or

1551 license with intent that it will ~~shall~~ be used as evidence of
1552 that which the document stands for, by a person other than the
1553 one upon whom it was conferred or to whom it was granted.

1554 (2) Each of the following acts constitutes a misdemeanor
1555 of the first degree, punishable as provided in s. 775.082 or s.
1556 775.083:

1557 (a) Using the name or title "dentist," the letters
1558 "D.D.S." or "D.M.D.", or any other words, letters, title, or
1559 descriptive matter which in any way represents a person as being
1560 able to diagnose, treat, prescribe, or operate for any disease,
1561 pain, deformity, deficiency, injury, or physical condition of
1562 the teeth or jaws or oral-maxillofacial region unless the person
1563 has an active dentist's license issued by the department
1564 pursuant to this chapter.

1565 (b) Using the name "dental hygienist" or the initials
1566 "R.D.H." or otherwise holding herself or himself out as an
1567 actively licensed dental hygienist or implying to any patient or
1568 consumer that she or he is an actively licensed dental hygienist
1569 unless that person has an active dental hygienist's license
1570 issued by the department pursuant to this chapter.

1571 (c) Using the name "dental therapist" or the initials
1572 "D.T." or otherwise holding herself or himself out as an
1573 actively licensed dental therapist or implying to any patient or
1574 consumer that she or he is an actively licensed dental therapist
1575 unless that person has an active dental therapist's license

1576 issued by the department pursuant to this chapter.

1577 (d)~~(e)~~ Presenting as her or his own the license of
1578 another.

1579 (e)~~(d)~~ Knowingly concealing information relative to
1580 violations of this chapter.

1581 (f)~~(e)~~ Performing any services as a dental assistant as
1582 defined herein, except in the office of a licensed dentist,
1583 unless authorized by this chapter or by rule of the board.

1584 Section 25. Paragraphs (b), (c), (g), (s), and (t) of
1585 subsection (1) of section 466.028, Florida Statutes, are amended
1586 to read:

1587 466.028 Grounds for disciplinary action; action by the
1588 board.—

1589 (1) The following acts constitute grounds for denial of a
1590 license or disciplinary action, as specified in s. 456.072(2):

1591 (b) Having a license to practice dentistry, dental
1592 therapy, or dental hygiene revoked, suspended, or otherwise
1593 acted against, including the denial of licensure, by the
1594 licensing authority of another state, territory, or country.

1595 (c) Being convicted or found guilty of or entering a plea
1596 of nolo contendere to, regardless of adjudication, a crime in
1597 any jurisdiction which relates to the practice of dentistry,
1598 dental therapy, or dental hygiene. A plea of nolo contendere
1599 creates ~~shall create~~ a rebuttable presumption of guilt to the
1600 underlying criminal charges.

1601 (g) Aiding, assisting, procuring, or advising any
1602 unlicensed person to practice dentistry, dental therapy, or
1603 dental hygiene contrary to this chapter or to a rule of the
1604 department or the board.

1605 (s) Being unable to practice her or his profession with
1606 reasonable skill and safety to patients by reason of illness or
1607 use of alcohol, drugs, narcotics, chemicals, or any other type
1608 of material or as a result of any mental or physical condition.
1609 In enforcing this paragraph, the department ~~shall have~~, upon a
1610 finding of the State Surgeon General or her or his designee that
1611 probable cause exists to believe that the licensee is unable to
1612 practice dentistry, dental therapy, or dental hygiene because of
1613 the reasons stated in this paragraph, has the authority to issue
1614 an order to compel a licensee to submit to a mental or physical
1615 examination by physicians designated by the department. If the
1616 licensee refuses to comply with such order, the department's
1617 order directing such examination may be enforced by filing a
1618 petition for enforcement in the circuit court where the licensee
1619 resides or does business. The licensee against whom the petition
1620 is filed may ~~shall~~ not be named or identified by initials in any
1621 public court records or documents, and the proceedings must
1622 ~~shall~~ be closed to the public. The department is ~~shall be~~
1623 entitled to the summary procedure provided in s. 51.011. A
1624 licensee affected under this paragraph must ~~shall~~ at reasonable
1625 intervals be afforded an opportunity to demonstrate that she or

1626 he can resume the competent practice of her or his profession
1627 with reasonable skill and safety to patients.

1628 (t) Fraud, deceit, or misconduct in the practice of
1629 dentistry, dental therapy, or dental hygiene.

1630 Section 26. Paragraphs (a) and (b) of subsection (1) of
1631 section 466.0285, Florida Statutes, are amended to read:

1632 466.0285 Proprietorship by nondentists.—

1633 (1) No person other than a dentist licensed pursuant to
1634 this chapter, nor any entity other than a professional
1635 corporation or limited liability company composed of dentists,
1636 may:

1637 (a) Employ a dentist, a dental therapist, or a dental
1638 hygienist in the operation of a dental office.

1639 (b) Control the use of any dental equipment or material
1640 while such equipment or material is being used for the provision
1641 of dental services, whether those services are provided by a
1642 dentist, a dental therapist, a dental hygienist, or a dental
1643 assistant.

1644
1645 Any lease agreement, rental agreement, or other arrangement
1646 between a nondentist and a dentist whereby the nondentist
1647 provides the dentist with dental equipment or dental materials
1648 shall contain a provision whereby the dentist expressly
1649 maintains complete care, custody, and control of the equipment
1650 or practice.

1651 Section 27. Subsection (7) of section 627.6471, Florida
1652 Statutes, is renumbered as subsection (8), and a new subsection
1653 (7) is added to that section to read:

1654 627.6471 Contracts for reduced rates of payment;
1655 limitations; coinsurance and deductibles.—

1656 (7) Any insurer issuing a policy of health insurance in
1657 this state shall apply the payment for a service provided to an
1658 insured by a nonpreferred provider toward the insured's
1659 deductible and out-of-pocket maximum as if the service had been
1660 provided by a preferred provider if all of the following apply:

1661 (a) The insured requests that the insurer apply the
1662 payment for the service provided to the insured by the
1663 nonpreferred provider toward the insured's deductible and out-
1664 of-pocket maximum.

1665 (b) The service provided to the insured by the
1666 nonpreferred provider is within the scope of services covered
1667 under the insured's policy.

1668 (c) The amount that the nonpreferred provider charged the
1669 insured for the service is the same as or less than:

1670 1. The average amount that the insured's preferred
1671 provider network charges for the service; or

1672 2. The statewide average amount for the service based on
1673 data reported on the Florida Health Price Finder website.

1674
1675 Section 28. Paragraph (g) of subsection (3) of section

921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity
ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(g) LEVEL 7

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious

1686			bodily injury.
	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1687			
	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1688			
	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1689			
	456.065 (2)	3rd	Practicing a health care profession without a license.
1690			
	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1691			
	458.327 (1)	3rd	Practicing medicine without a license.

1692	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1693	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1694	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1695	462.17	3rd	Practicing naturopathy without a license.
1696	463.015 (1)	3rd	Practicing optometry without a license.
1697	464.016 (1)	3rd	Practicing nursing without a license.
1698	465.015 (2)	3rd	Practicing pharmacy without a license.
1699	466.026 (1)	3rd	Practicing dentistry, <u>dental</u> <u>therapy,</u> or dental hygiene without a license.

1700	467.201	3rd	Practicing midwifery without a license.
1701	468.366	3rd	Delivering respiratory care services without a license.
1702	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1703	483.901 (7)	3rd	Practicing medical physics without a license.
1704	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1705	484.053	3rd	Dispensing hearing aids without a license.
1706	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more

1707			victims.
	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1708			
	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1709			
	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1710			
	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1711			
	775.21(10)(b)	3rd	Sexual predator working where

1712			children regularly congregate.
	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1713			
	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1714			
	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1715			
	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1716			
	782.072	2nd	Killing of a human being by the

			operation of a vessel in a reckless manner (vessel homicide).
1717	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1718	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1719	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1720	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1721	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1722	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1723	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility

1724			staff.
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1725			
	784.081 (1)	1st	Aggravated battery on specified official or employee.
1726			
	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1727			
	784.083 (1)	1st	Aggravated battery on code inspector.
1728			
	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1729			
	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
1730			

1731	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1732	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1733	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1734	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1735	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

1736	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1737	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1738	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1739	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1740	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1741	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation;

			victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
1742	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1743	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1744	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1745	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1746	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.

1747	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1748	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
1749	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1750	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1751	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1752	812.014 (2) (g)	2nd	Grand theft; second degree;

1753			firearm with previous conviction of s. 812.014(2)(c)5.
	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1754			
	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1755			
	812.131(2)(a)	2nd	Robbery by sudden snatching.
1756			
	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1757			
	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
1758			
	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1759			
	817.234(9)	2nd	Organizing, planning, or

			participating in an intentional motor vehicle collision.
1760	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1761	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1762	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
1763	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
1764	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1765			

1766	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1767	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1768	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
1769	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1770	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.

1771	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
1772	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1773	838.015	2nd	Bribery.
1774	838.016	2nd	Unlawful compensation or reward for official behavior.
1775	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1776	838.22	2nd	Bid tampering.
1777	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1778	843.0855 (3)	3rd	Unlawful simulation of legal process.

1779	843.0855(4)	3rd	Intimidation of a public officer or employee.
1780	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1781	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1782	872.06	2nd	Abuse of a dead human body.
1783	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1784	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1785	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug

			prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
1786	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.
1787	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1788	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000

1789			lbs.
	893.135	1st	Trafficking in cocaine, more
	(1) (b) 1.a.		than 28 grams, less than 200
			grams.
1790			
	893.135	1st	Trafficking in illegal drugs,
	(1) (c) 1.a.		more than 4 grams, less than 14
			grams.
1791			
	893.135	1st	Trafficking in hydrocodone, 28
	(1) (c) 2.a.		grams or more, less than 50
			grams.
1792			
	893.135	1st	Trafficking in hydrocodone, 50
	(1) (c) 2.b.		grams or more, less than 100
			grams.
1793			
	893.135	1st	Trafficking in oxycodone, 7
	(1) (c) 3.a.		grams or more, less than 14
			grams.
1794			
	893.135	1st	Trafficking in oxycodone, 14
	(1) (c) 3.b.		grams or more, less than 25
			grams.

1795	893.135	1st	Trafficking in fentanyl, 4
	(1) (c) 4.b. (I)		grams or more, less than 14
			grams.
1796	893.135	1st	Trafficking in phencyclidine,
	(1) (d) 1.a.		28 grams or more, less than 200
			grams.
1797	893.135 (1) (e) 1.	1st	Trafficking in methaqualone,
			200 grams or more, less than 5
			kilograms.
1798	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14
			grams or more, less than 28
			grams.
1799	893.135	1st	Trafficking in flunitrazepam, 4
	(1) (g) 1.a.		grams or more, less than 14
			grams.
1800	893.135	1st	Trafficking in gamma-
	(1) (h) 1.a.		hydroxybutyric acid (GHB), 1
			kilogram or more, less than 5
			kilograms.

1801	893.135	1st	Trafficking in 1,4-Butanediol,
	(1) (j) 1.a.		1 kilogram or more, less than 5
			kilograms.
1802	893.135	1st	Trafficking in Phenethylamines,
	(1) (k) 2.a.		10 grams or more, less than 200
			grams.
1803	893.135	1st	Trafficking in synthetic
	(1) (m) 2.a.		cannabinoids, 280 grams or
			more, less than 500 grams.
1804	893.135	1st	Trafficking in synthetic
	(1) (m) 2.b.		cannabinoids, 500 grams or
			more, less than 1,000 grams.
1805	893.135	1st	Trafficking in n-benzyl
	(1) (n) 2.a.		phenethylamines, 14 grams or
			more, less than 100 grams.
1806	893.1351 (2)	2nd	Possession of place for
			trafficking in or manufacturing
			of controlled substance.
1807			

1808	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1809	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1810	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1811	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1812	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
	943.0435 (13)	3rd	Failure to report or providing

			false information about a sexual offender; harbor or conceal a sexual offender.
1813	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1814	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
1815	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1816	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1817	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure

1818	985.4815(10)	3rd	to respond to address verification; providing false registration information.
1819	985.4815(12)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1820	985.4815(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1821			Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1822			
1823	Section 29. <u>The Department of Health, in consultation with</u>		
1824	<u>the Board of Dentistry and the Agency for Health Care</u>		
1825	<u>Administration, shall submit a progress report to the President</u>		
1826	<u>of the Senate and the Speaker of the House of Representatives by</u>		
1827	<u>July 1, 2028, and a final report 4 years after the first dental</u>		

1828 therapy license is issued. The reports must include all of the
1829 following information and recommendations:

1830 (1) The progress that has been made in this state to
1831 implement dental therapy training programs, licensing, and
1832 Medicaid reimbursement.

1833 (2) Data demonstrating the effects of dental therapy in
1834 this state on all of the following:

1835 (a) Patient access to dental services.

1836 (b) Costs to dental providers, patients, dental insurance
1837 carriers, and the state.

1838 (c) The quality and safety of dental services.

1839 (3) Specific recommendations for any necessary
1840 legislative, administrative, or regulatory reform relating to
1841 the practice of dental therapy.

1842 (4) Any other information the department deems
1843 appropriate.

1844 Section 30. This act shall take effect July 1, 2025.