

1                   A bill to be entitled  
2           An act relating to dental therapy; amending s.  
3           409.906, F.S.; authorizing Medicaid to reimburse for  
4           dental services provided in a mobile dental unit that  
5           is owned by, operated by, or contracted with a health  
6           access setting or another similar setting or program;  
7           amending s. 466.001, F.S.; revising legislative  
8           purpose and intent; amending s. 466.002, F.S.;  
9           providing applicability; amending s. 466.003, F.S.;  
10          defining the terms "dental therapist" and "dental  
11          therapy"; amending s. 466.004, F.S.; requiring the  
12          chair of the Board of Dentistry to appoint a Council  
13          on Dental Therapy, effective after a specified  
14          timeframe; providing for membership, meetings, and the  
15          purpose of the council; amending s. 466.006, F.S.;  
16          revising the definitions of the terms "full-time  
17          practice" and "full-time practice of dentistry within  
18          the geographic boundaries of this state within 1 year"  
19          to include full-time faculty members of certain dental  
20          therapy schools; amending s. 466.009, F.S.; requiring  
21          the Department of Health to allow any person who fails  
22          the dental therapy examination to retake the  
23          examination; providing that a person who fails a  
24          practical or clinical examination to practice dental  
25          therapy and who has failed one part or procedure of

26 | the examination may be required to retake only that  
27 | part or procedure to pass the examination; amending s.  
28 | 466.011, F.S.; requiring the board to certify an  
29 | applicant for licensure as a dental therapist;  
30 | creating s. 466.0136, F.S.; requiring the board to  
31 | require each licensed dental therapist to complete a  
32 | specified number of hours of continuing education;  
33 | requiring the board to adopt rules and guidelines;  
34 | authorizing the board to excuse licensees from  
35 | continuing education requirements in certain  
36 | circumstances; amending s. 466.016, F.S.; requiring a  
37 | practitioner of dental therapy to post and display her  
38 | or his license in each office where she or he  
39 | practices; amending s. 466.017, F.S.; requiring the  
40 | board to adopt certain rules relating to dental  
41 | therapists; authorizing a dental therapist under the  
42 | direct supervision of a dentist to perform certain  
43 | duties if specified requirements are met; authorizing  
44 | a dental therapist providing services in a mobile  
45 | dental unit under the general supervision of a dentist  
46 | to perform certain duties if specified requirements  
47 | are met; amending s. 466.018, F.S.; providing that a  
48 | dentist of record remains primarily responsible for  
49 | the dental treatment of a patient regardless of  
50 | whether the treatment is provided by a dental

51 therapist; requiring that the initials of a dental  
52 therapist who renders treatment to a patient be placed  
53 in the record of the patient; creating s. 466.0225,  
54 F.S.; providing application requirements and  
55 examination and licensure qualifications for dental  
56 therapists; creating s. 466.0227, F.S.; authorizing a  
57 dental therapist to perform specified services under  
58 the general supervision of a dentist under certain  
59 conditions; specifying state-specific dental therapy  
60 services; requiring that a collaborative management  
61 agreement be signed by a supervising dentist and a  
62 dental therapist and to include certain information;  
63 requiring the supervising dentist to determine the  
64 number of hours of practice that a dental therapist  
65 must complete before performing certain authorized  
66 services; authorizing a supervising dentist to  
67 restrict or limit the dental therapist's practice in a  
68 collaborative management agreement; providing that a  
69 supervising dentist may authorize a dental therapist  
70 to provide dental therapy services to a patient before  
71 the dentist examines or diagnoses the patient under  
72 certain conditions; requiring a supervising dentist to  
73 be licensed and practicing in this state; specifying  
74 that the supervising dentist is responsible for  
75 certain services; amending s. 466.026, F.S.; providing

76 criminal penalties; amending s. 466.028, F.S.;

77 revising grounds for denial of a license or

78 disciplinary action to include the practice of dental

79 therapy; amending s. 466.0285, F.S.; prohibiting

80 persons other than licensed dentists from employing a

81 dental therapist in the operation of a dental office

82 and from controlling the use of any dental equipment

83 or material in certain circumstances; amending s.

84 921.0022, F.S.; conforming a provision to changes made

85 by the act; requiring the department, in consultation

86 with the board and the Agency for Health Care

87 Administration, to provide reports to the Legislature

88 by specified dates; requiring that certain information

89 and recommendations be included in the reports;

90 providing an effective date.

91

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

93

94 **Section 1. Paragraph (c) of subsection (1) of section**

95 **409.906, Florida Statutes, is amended, and paragraph (e) is**

96 **added to subsection (6) of that section, to read:**

97 409.906 Optional Medicaid services.—Subject to specific

98 appropriations, the agency may make payments for services which

99 are optional to the state under Title XIX of the Social Security

100 Act and are furnished by Medicaid providers to recipients who

101 are determined to be eligible on the dates on which the services  
102 were provided. Any optional service that is provided shall be  
103 provided only when medically necessary and in accordance with  
104 state and federal law. Optional services rendered by providers  
105 in mobile units to Medicaid recipients may be restricted or  
106 prohibited by the agency. Nothing in this section shall be  
107 construed to prevent or limit the agency from adjusting fees,  
108 reimbursement rates, lengths of stay, number of visits, or  
109 number of services, or making any other adjustments necessary to  
110 comply with the availability of moneys and any limitations or  
111 directions provided for in the General Appropriations Act or  
112 chapter 216. If necessary to safeguard the state's systems of  
113 providing services to elderly and disabled persons and subject  
114 to the notice and review provisions of s. 216.177, the Governor  
115 may direct the Agency for Health Care Administration to amend  
116 the Medicaid state plan to delete the optional Medicaid service  
117 known as "Intermediate Care Facilities for the Developmentally  
118 Disabled." Optional services may include:

119 (1) ADULT DENTAL SERVICES.—

120 (c) However, Medicaid will not provide reimbursement for  
121 dental services provided in a mobile dental unit, except for a  
122 mobile dental unit:

123 1. Owned by, operated by, or having a contractual  
124 agreement with the Department of Health and complying with  
125 Medicaid's county health department clinic services program

126 specifications as a county health department clinic services  
 127 provider.

128 2. Owned by, operated by, or having a contractual  
 129 arrangement with a federally qualified health center and  
 130 complying with Medicaid's federally qualified health center  
 131 specifications as a federally qualified health center provider.

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

134 4. Owned by, operated by, or having a contractual  
 135 agreement with a state-approved dental educational institution.

136 5. Owned by, operated by, or having a contractual  
 137 agreement with a health access setting as defined in s. 466.003  
 138 or a similar setting or program.

139 (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for  
 140 diagnostic, preventive, or corrective procedures, including  
 141 orthodontia in severe cases, provided to a recipient under age  
 142 21, by or under the supervision of a licensed dentist. The  
 143 agency may also reimburse a health access setting as defined in  
 144 s. 466.003 for the remediable tasks that a licensed dental  
 145 hygienist is authorized to perform under s. 466.024(2). Services  
 146 provided under this program include treatment of the teeth and  
 147 associated structures of the oral cavity, as well as treatment  
 148 of disease, injury, or impairment that may affect the oral or  
 149 general health of the individual. However, Medicaid will not  
 150 provide reimbursement for dental services provided in a mobile

151 dental unit, except for a mobile dental unit:

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

155 **Section 2. Section 466.001, Florida Statutes, is amended**  
156 **to read:**

157 466.001 Legislative purpose and intent.—The legislative  
158 purpose for enacting this chapter is to ensure that every  
159 dentist, dental therapist, or dental hygienist practicing in  
160 this state meets minimum requirements for safe practice without  
161 undue clinical interference by persons not licensed under this  
162 chapter. It is the legislative intent that dental services be  
163 provided only in accordance with ~~the provisions of~~ this chapter  
164 and not be delegated to unauthorized individuals. It is the  
165 further legislative intent that dentists, dental therapists, and  
166 dental hygienists who fall below minimum competency or who  
167 otherwise present a danger to the public ~~shall~~ be prohibited  
168 from practicing in this state. All provisions of this chapter  
169 relating to the practice of dentistry, dental therapy, and  
170 dental hygiene shall be liberally construed to carry out such  
171 purpose and intent.

172 **Section 3. Subsections (5) and (6) of section 466.002,**  
173 **Florida Statutes, are amended to read:**

174 466.002 Persons exempt from operation of chapter.—~~Nothing~~  
175 ~~in~~ This chapter does not ~~shall~~ apply to the following practices,

176 acts, and operations:

177 (5) Students in Florida schools of dentistry, dental  
178 therapy, and dental hygiene or dental assistant educational  
179 programs, while performing regularly assigned work under the  
180 curriculum of such schools or programs.

181 (6) Instructors in Florida schools of dentistry,  
182 instructors in dental programs that prepare persons holding  
183 D.D.S. or D.M.D. degrees for certification by a specialty board  
184 and that are accredited in the United States by January 1, 2005,  
185 in the same manner as the board recognizes accreditation for  
186 Florida schools of dentistry that are not otherwise affiliated  
187 with a Florida school of dentistry, or instructors in Florida  
188 schools of dental hygiene, dental therapy, or dental assistant  
189 educational programs, while performing regularly assigned  
190 instructional duties under the curriculum of such schools or  
191 programs. A full-time dental instructor at a dental school or  
192 dental program approved by the board may be allowed to practice  
193 dentistry at the teaching facilities of such school or program,  
194 upon receiving a teaching permit issued by the board, in strict  
195 compliance with such rules as are adopted by the board  
196 pertaining to the teaching permit and with the established rules  
197 and procedures of the dental school or program as recognized in  
198 this section.

199 **Section 4. Section 466.003, Florida Statutes, is reordered**  
200 **and amended to read:**



201 466.003 Definitions.—As used in this chapter, the term:

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

203 (2)-(6) "Dental assistant" means a person, other than a  
 204 dental hygienist, who, under the supervision and authorization  
 205 of a dentist, provides dental care services directly to a  
 206 patient. This term does ~~shall~~ not include a certified registered  
 207 nurse anesthetist licensed under part I of chapter 464.

208 (3)-(4) "Dental hygiene" means the rendering of  
 209 educational, preventive, and therapeutic dental services  
 210 pursuant to ss. 466.023 and 466.024 and any related extra-oral  
 211 procedure required in the performance of such services.

212 (4)-(5) "Dental hygienist" means a person licensed to  
 213 practice dental hygiene pursuant to this chapter.

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

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

219 (7)-(2) "Dentist" means a person licensed to practice  
 220 dentistry pursuant to this chapter.

221 (8)-(3) "Dentistry" means the healing art which is  
 222 concerned with the examination, diagnosis, treatment planning,  
 223 and care of conditions within the human oral cavity and its  
 224 adjacent tissues and structures. It includes the performance or  
 225 attempted performance of any dental operation, or oral or oral-

226 maxillofacial surgery and any procedures adjunct thereto,  
227 including physical evaluation directly related to such operation  
228 or surgery pursuant to hospital rules and regulations. It also  
229 includes dental service of any kind gratuitously or for any  
230 remuneration paid, or to be paid, directly or indirectly, to any  
231 person or agency. The term "dentistry" ~~shall~~ also includes  
232 ~~include~~ the following:

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

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

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

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

244 (e) Professing to the public by any method to furnish,  
245 supply, construct, reproduce, or repair any prosthetic denture,  
246 bridge, appliance, or other structure designed to be worn in the  
247 human mouth.

248 (f) Diagnosing, prescribing, or treating or professing to  
249 diagnose, prescribe, or treat disease, pain, deformity,  
250 deficiency, injury, or physical condition of the human teeth or

251 jaws or oral-maxillofacial region.

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

253 (h) Correcting or attempting to correct malformations of  
254 teeth or of jaws.

255 (i) Repairing or attempting to repair cavities in the  
256 human teeth.

257 (9)~~(7)~~ "Department" means the Department of Health.

258 (10)~~(8)~~ "Digital scanning" means the use of digital  
259 technology that creates a computer-generated replica of the hard  
260 and soft tissue of the oral cavity using enhanced digital  
261 photography, lasers, or other optical scanning devices.

262 (11)~~(9)~~ "Direct supervision" means supervision whereby a  
263 dentist diagnoses the condition to be treated, a dentist  
264 authorizes the procedure to be performed, a dentist remains on  
265 the premises while the procedures are performed, and a dentist  
266 approves the work performed before dismissal of the patient.

267 (12)~~(11)~~ "General supervision" means supervision whereby a  
268 dentist authorizes the procedures which are being carried out  
269 but need not be present when the authorized procedures are being  
270 performed. The authorized procedures may also be performed at a  
271 place other than the dentist's usual place of practice. The  
272 issuance of a written work authorization to a commercial dental  
273 laboratory by a dentist does not constitute general supervision.

274 (13)~~(15)~~ "Health access setting" means a program or an  
275 institution of the Department of Children and Families, the

276 Department of Health, the Department of Juvenile Justice, a  
277 nonprofit community health center, a Head Start center, a  
278 federally qualified health center or look-alike as defined by  
279 federal law, a school-based prevention program, a clinic  
280 operated by an accredited college of dentistry, or an accredited  
281 dental hygiene program in this state if such community service  
282 program or institution immediately reports to the Board of  
283 Dentistry all violations of s. 466.027, s. 466.028, or other  
284 practice act or standard of care violations related to the  
285 actions or inactions of a dentist, dental hygienist, or dental  
286 assistant engaged in the delivery of dental care in such  
287 setting.

288 (14)~~(10)~~ "Indirect supervision" means supervision whereby  
289 a dentist authorizes the procedure and a dentist is on the  
290 premises while the procedures are performed.

291 (15)~~(12)~~ "Irremediable tasks" are those intraoral  
292 treatment tasks which, when performed, are irreversible and  
293 create unalterable changes within the oral cavity or the  
294 contiguous structures or which cause an increased risk to the  
295 patient. The administration of anesthetics other than topical  
296 anesthesia is considered to be an "irremediable task" for  
297 purposes of this chapter.

298 (16)~~(14)~~ "Oral and maxillofacial surgery" means the  
299 specialty of dentistry involving diagnosis, surgery, and  
300 adjunctive treatment of diseases, injuries, and defects

301 involving the functional and esthetic aspects of the hard and  
 302 soft tissues of the oral and maxillofacial regions. This term  
 303 may not be construed to apply to any individual exempt under s.  
 304 466.002(1).

305 (17)~~(13)~~ "Remediable tasks" are those intraoral treatment  
 306 tasks which are reversible and do not create unalterable changes  
 307 within the oral cavity or the contiguous structures and which do  
 308 not cause an increased risk to the patient.

309 (18)~~(16)~~ "School-based prevention program" means  
 310 preventive oral health services offered at a school by one of  
 311 the entities described ~~defined~~ in subsection (13) ~~(15)~~ or by a  
 312 nonprofit organization that is exempt from federal income  
 313 taxation under s. 501(a) of the Internal Revenue Code, and  
 314 described in s. 501(c)(3) of the Internal Revenue Code.

315 **Section 5. Subsection (2) of section 466.004, Florida**  
 316 **Statutes, is amended to read:**

317 466.004 Board of Dentistry.—

318 (2) To advise the board, it is the intent of the  
 319 Legislature that councils be appointed as specified in  
 320 paragraphs (a)-(d) ~~(a), (b), and (c)~~. The department shall  
 321 provide administrative support to the councils and shall provide  
 322 public notice of meetings and agendas ~~agenda~~ of the councils.  
 323 Councils must ~~shall~~ include at least one board member, who shall  
 324 serve as chair, ~~the council~~ and must ~~shall~~ include nonboard  
 325 members. All council members shall be appointed by the board

326 chair. Council members shall be appointed for 4-year terms, and  
327 all members are ~~shall be~~ eligible for reimbursement of expenses  
328 in the manner of board members.

329 (a) A Council on Dental Hygiene shall be appointed by the  
330 board chair and shall include one dental hygienist member of the  
331 board, who shall chair the council, one dental member of the  
332 board, and three dental hygienists who are actively engaged in  
333 the practice of dental hygiene in this state. In making the  
334 appointments, the chair shall consider recommendations from the  
335 Florida Dental Hygiene Association. The council shall meet at  
336 the request of the board chair, a majority of the members of the  
337 board, or the council chair; however, the council must meet at  
338 least three times a year. The council is charged with the  
339 responsibility of and shall meet for the purpose of developing  
340 rules and policies for recommendation to the board, which the  
341 board shall consider, on matters pertaining to that part of  
342 dentistry consisting of educational, preventive, or therapeutic  
343 dental hygiene services; dental hygiene licensure, discipline,  
344 or regulation; and dental hygiene education. Rule and policy  
345 recommendations of the council must ~~shall~~ be considered by the  
346 board at its next regularly scheduled meeting in the same manner  
347 in which it considers rule and policy recommendations from  
348 designated subcommittees of the board. Any rule or policy  
349 proposed by the board pertaining to the specified part of  
350 dentistry identified ~~defined~~ by this subsection must ~~shall~~ be

351 referred to the council for a recommendation before final action  
352 by the board. The board may take final action on rules  
353 pertaining to the specified part of dentistry identified ~~defined~~  
354 by this subsection without a council recommendation if the  
355 council fails to submit a recommendation in a timely fashion as  
356 prescribed by the board.

357 (b) A Council on Dental Assisting shall be appointed by  
358 the board chair and shall include one board member who shall  
359 chair the council and three dental assistants who are actively  
360 engaged in dental assisting in this state. The council shall  
361 meet at the request of the board chair or a majority of the  
362 members of the board. The council shall meet for the purpose of  
363 developing recommendations to the board on matters pertaining to  
364 that part of dentistry related to dental assisting.

365 (c) Effective 28 months after the first dental therapy  
366 license is granted by the board, the board chair shall appoint a  
367 Council on Dental Therapy, which must include one board member  
368 who shall chair the council and three dental therapists who are  
369 actively engaged in the practice of dental therapy in this  
370 state. The council shall meet at the request of the board chair,  
371 a majority of the members of the board, or the council chair;  
372 however, the council shall meet at least three times per year.  
373 The council is charged with the responsibility of, and shall  
374 meet for the purpose of, developing rules and policies for  
375 recommendation to the board on matters pertaining to that part

376 of dentistry consisting of educational, preventive, or  
377 therapeutic dental therapy services; dental therapy licensure,  
378 discipline, or regulation; and dental therapy education. Rule  
379 and policy recommendations of the council must be considered by  
380 the board at its next regularly scheduled meeting in the same  
381 manner in which it considers rule and policy recommendations  
382 from designated subcommittees of the board. Any rule or policy  
383 proposed by the board pertaining to the specified part of  
384 dentistry identified by this subsection must be referred to the  
385 council for a recommendation before final action by the board.  
386 The board may take final action on rules pertaining to the  
387 specified part of dentistry identified by this subsection  
388 without a council recommendation if the council fails to submit  
389 a recommendation in a timely fashion as prescribed by the board.

390 (d)(e) With the concurrence of the State Surgeon General,  
391 the board chair may create and abolish other advisory councils  
392 relating to dental subjects, including, but not limited to:  
393 examinations, access to dental care, indigent care, nursing home  
394 and institutional care, public health, disciplinary guidelines,  
395 and other subjects as appropriate. Such councils shall be  
396 appointed by the board chair and shall include at least one  
397 board member who shall serve as chair.

398 **Section 6. Paragraph (b) of subsection (4) of section**  
399 **466.006, Florida Statutes, is amended to read:**

400 466.006 Examination of dentists.—



401 (4) Notwithstanding any other provision of law in chapter  
402 456 pertaining to the clinical dental licensure examination or  
403 national examinations, to be licensed as a dentist in this  
404 state, an applicant must successfully complete both of the  
405 following:

406 (b) A practical or clinical examination, which must be the  
407 American Dental Licensing Examination produced by the American  
408 Board of Dental Examiners, Inc., or its successor entity, if  
409 any, which is administered in this state, provided that the  
410 board has attained, and continues to maintain thereafter,  
411 representation on the board of directors of the American Board  
412 of Dental Examiners, the examination development committee of  
413 the American Board of Dental Examiners, and such other  
414 committees of the American Board of Dental Examiners as the  
415 board deems appropriate by rule to assure that the standards  
416 established herein are maintained organizationally.

417 1. As an alternative to such practical or clinical  
418 examination, an applicant may submit scores from an American  
419 Dental Licensing Examination previously administered in a  
420 jurisdiction other than this state after October 1, 2011, and  
421 such examination results are recognized as valid for the purpose  
422 of licensure in this state. A passing score on the American  
423 Dental Licensing Examination administered out of state is the  
424 same as the passing score for the American Dental Licensing  
425 Examination administered in this state. The applicant must have

426 completed the examination after October 1, 2011. This  
427 subparagraph may not be given retroactive application.

428 2. If the date of an applicant's passing American Dental  
429 Licensing Examination scores from an examination previously  
430 administered in a jurisdiction other than this state under  
431 subparagraph 1. is older than 365 days, such scores are  
432 nevertheless valid for the purpose of licensure in this state,  
433 but only if the applicant demonstrates that all of the following  
434 additional standards have been met:

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

438 b. The applicant graduated from a dental school accredited  
439 by the American Dental Association Commission on Dental  
440 Accreditation or its successor entity, if any, or any other  
441 dental accrediting organization recognized by the United States  
442 Department of Education. Provided, however, if the applicant did  
443 not graduate from such a dental school, the applicant may submit  
444 proof of having successfully completed a full-time supplemental  
445 general dentistry program accredited by the American Dental  
446 Association Commission on Dental Accreditation of at least 2  
447 consecutive academic years at such accredited sponsoring  
448 institution. Such program must provide didactic and clinical  
449 education at the level of a D.D.S. or D.M.D. program accredited  
450 by the American Dental Association Commission on Dental

451 Accreditation. For purposes of this sub-subparagraph, a  
452 supplemental general dentistry program does not include an  
453 advanced education program in a dental specialty.

454 c. The applicant currently possesses a valid and active  
455 dental license in good standing, with no restriction, which has  
456 never been revoked, suspended, restricted, or otherwise  
457 disciplined, from another state or territory of the United  
458 States, the District of Columbia, or the Commonwealth of Puerto  
459 Rico.

460 d. The applicant must disclose to the board during the  
461 application process if he or she has been reported to the  
462 National Practitioner Data Bank, the Healthcare Integrity and  
463 Protection Data Bank, or the American Association of Dental  
464 Boards Clearinghouse. This sub-subparagraph does not apply if  
465 the applicant successfully appealed to have his or her name  
466 removed from the data banks of these agencies.

467 e.(I)(A) The applicant submits proof of having been  
468 consecutively engaged in the full-time practice of dentistry in  
469 another state or territory of the United States, the District of  
470 Columbia, or the Commonwealth of Puerto Rico in the 5 years  
471 immediately preceding the date of application for licensure in  
472 this state; or

473 (B) If the applicant has been licensed in another state or  
474 territory of the United States, the District of Columbia, or the  
475 Commonwealth of Puerto Rico for less than 5 years, the applicant

476 submits proof of having been engaged in the full-time practice  
477 of dentistry since the date of his or her initial licensure.

478 (II) As used in this section, "full-time practice" is  
479 defined as a minimum of 1,200 hours per year for each year in  
480 the consecutive 5-year period or, when applicable, the period  
481 since initial licensure, and must include any combination of the  
482 following:

483 (A) Active clinical practice of dentistry providing direct  
484 patient care.

485 (B) Full-time practice as a faculty member employed by a  
486 dental, dental therapy, or dental hygiene school approved by the  
487 board or accredited by the American Dental Association  
488 Commission on Dental Accreditation.

489 (C) Full-time practice as a student at a postgraduate  
490 dental education program approved by the board or accredited by  
491 the American Dental Association Commission on Dental  
492 Accreditation.

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

497 (A) Admissible as evidence in an administrative  
498 proceeding;

499 (B) Submitted in writing;

500 (C) Further documented by an applicant's annual income tax

501 return filed with the Internal Revenue Service for each year in  
 502 the preceding 5-year period or, if the applicant has been  
 503 practicing for less than 5 years, the period since initial  
 504 licensure; and

505 (D) Specifically found by the board to be both credible  
 506 and admissible.

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

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

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

517 h. The applicant has successfully passed a written  
 518 examination on the laws and rules of this state regulating the  
 519 practice of dentistry and the computer-based diagnostic skills  
 520 examination.

521 i. The applicant submits documentation that he or she has  
 522 successfully completed the applicable examination administered  
 523 by the Joint Commission on National Dental Examinations or its  
 524 successor organization.

525 **Section 7. Subsection (1) of section 466.009, Florida**

526 **Statutes, is amended, and subsection (4) is added to that**  
 527 **section, to read:**

528 466.009 Reexamination.—

529 (1) Any person who fails an examination that is required  
 530 under s. 466.006, ~~or~~ s. 466.007, or s. 466.0225 may retake the  
 531 examination.

532 (4) If an applicant for a license to practice dental  
 533 therapy fails the practical or clinical examination and she or  
 534 he has failed only one part or procedure of such examination,  
 535 she or he may be required to retake only that part or procedure  
 536 to pass such examination. However, if any such applicant fails  
 537 more than one part or procedure of any such examination, she or  
 538 he must be required to retake the entire examination.

539 **Section 8. Section 466.011, Florida Statutes, is amended**  
 540 **to read:**

541 466.011 Licensure.—The board shall certify for licensure  
 542 by the department any applicant who satisfies the requirements  
 543 of s. 466.006, s. 466.0067, ~~or~~ s. 466.007, or s. 466.0225. The  
 544 board may refuse to certify an applicant who has violated ~~any of~~  
 545 ~~the provisions of~~ s. 466.026 or s. 466.028.

546 **Section 9. Section 466.0136, Florida Statutes, is created**  
 547 **to read:**

548 466.0136 Continuing education; dental therapists.—In  
 549 addition to any other requirements for relicensure for dental  
 550 therapists specified in this chapter, the board shall require

551 each licensed dental therapist to complete at least 24 hours,  
552 but not more than 36 hours, biennially of continuing education  
553 in dental subjects in programs approved by the board or in  
554 equivalent programs of continuing education. Programs of  
555 continuing education approved by the board must be programs of  
556 learning which, in the opinion of the board, contribute directly  
557 to the dental education of the dental therapist. An individual  
558 who is licensed as both a dental therapist and a dental  
559 hygienist may use 2 hours of continuing education that is  
560 approved for both dental therapy and dental hygiene education to  
561 satisfy both dental therapy and dental hygiene continuing  
562 education requirements. The board shall adopt rules and  
563 guidelines to administer and enforce this section. The dental  
564 therapist shall retain in her or his records any receipts,  
565 vouchers, or certificates necessary to document completion of  
566 the continuing education. Compliance with the continuing  
567 education requirements is mandatory for issuance of the renewal  
568 certificate. The board may excuse licensees, as a group or as  
569 individuals, from all or part of the continuing education  
570 requirements if an unusual circumstance, emergency, or hardship  
571 prevents compliance with this section.

572 **Section 10. Subsection (1) of section 466.016, Florida**  
573 **Statutes, is amended to read:**

574 466.016 License to be displayed.—

575 (1) Every practitioner of dentistry, dental therapy, or

576 dental hygiene within the meaning of this chapter shall post and  
577 keep conspicuously displayed her or his license in the office  
578 where ~~wherein~~ she or he practices, in plain sight of the  
579 practitioner's patients. Any dentist, dental therapist, or  
580 dental hygienist who practices at more than one location must  
581 display a copy of her or his license in each office where she or  
582 he practices.

583 **Section 11. Subsections (7) through (15) of section**  
584 **466.017, Florida Statutes, are renumbered as subsections (8)**  
585 **through (16), respectively, paragraphs (d) and (e) of subsection**  
586 **(3), subsection (4), and present subsections (7), (8), and (14)**  
587 **of that section are amended, and a new subsection (7) is added**  
588 **to that section, to read:**

589 466.017 Prescription of drugs; anesthesia.—

590 (3) The board shall adopt rules which:

591 (d) Establish further requirements relating to the use of  
592 general anesthesia or sedation, including, but not limited to,  
593 office equipment and the training of dental assistants, dental  
594 therapists, or dental hygienists who work with dentists using  
595 general anesthesia or sedation.

596 (e) Establish an administrative mechanism enabling the  
597 board to verify compliance with training, education, experience,  
598 equipment, or certification requirements of dentists, dental  
599 therapists, dental hygienists, and dental assistants adopted  
600 pursuant to this subsection. The board may charge a fee to



601 defray the cost of verifying compliance with requirements  
602 adopted pursuant to this paragraph.

603 (4) A dentist, dental therapist, or dental hygienist who  
604 administers or employs the use of any form of anesthesia must  
605 possess a certification in either basic cardiopulmonary  
606 resuscitation for health professionals or advanced cardiac life  
607 support approved by the American Heart Association or the  
608 American Red Cross or an equivalent agency-sponsored course with  
609 recertification every 2 years. Each dental office that ~~which~~  
610 uses any form of anesthesia must have immediately available and  
611 in good working order such resuscitative equipment, oxygen, and  
612 other resuscitative drugs as are specified by rule of the board  
613 in order to manage possible adverse reactions.

614 (7) A dental therapist, under the direct supervision of a  
615 dentist, may administer local anesthesia, including intraoral  
616 block anesthesia or soft tissue infiltration anesthesia if she  
617 or he has completed the course described in subsection (5) and  
618 presents evidence of current certification in basic or advanced  
619 cardiac life support.

620 (8) A dental therapist providing services in a mobile  
621 dental unit, under the general supervision of a dentist, may  
622 administer local anesthesia, including intraoral block  
623 anesthesia or soft tissue infiltration anesthesia, if she or he  
624 has completed the course described in subsection (5) and  
625 presents evidence of current certification in basic or advanced

626 life support.

627 (9)(7) A licensed dentist, or a dental therapist who is  
628 authorized by her or his supervising dentist, may operate  
629 ~~utilize~~ an X-ray machine, expose dental X-ray films, and  
630 interpret or read such films. Notwithstanding ~~The provisions of~~  
631 ~~part IV of chapter 468 to the contrary notwithstanding,~~ a  
632 licensed dentist, or a dental therapist who is authorized by her  
633 or his supervising dentist, may authorize or direct a dental  
634 assistant to operate such equipment and expose such films under  
635 her or his direction and supervision, pursuant to rules adopted  
636 by the board in accordance with s. 466.024 which ensure that the  
637 ~~said~~ assistant is competent by reason of training and experience  
638 to operate the X-ray ~~said~~ equipment in a safe and efficient  
639 manner. The board may charge a fee not to exceed \$35 to defray  
640 the cost of verifying compliance with requirements adopted  
641 pursuant to this section.

642 (10)(8) Notwithstanding ~~The provisions of~~ s. 465.0276  
643 ~~notwithstanding,~~ a dentist need not register with the board or  
644 comply with the continuing education requirements of that  
645 section if the dentist confines her or his dispensing activity  
646 to the dispensing of fluorides and chlorhexidine ~~chlorhexidine~~  
647 rinse solutions; provided that the dentist complies with and is  
648 subject to all laws and rules applicable to pharmacists and  
649 pharmacies, including, but not limited to, chapters 465, 499,  
650 and 893, and all applicable federal laws and regulations, when

651 dispensing such products.

652 ~~(16)-(14)~~ As used in subsections (11)-(15) ~~(9)-(13)~~, the  
653 term "adverse incident" means any mortality that occurs during  
654 or as the result of a dental procedure, or an incident that  
655 results in a temporary or permanent physical or mental injury  
656 that requires hospitalization or emergency room treatment of a  
657 dental patient which occurs during or as a direct result of the  
658 use of general anesthesia, deep sedation, moderate sedation,  
659 pediatric moderate sedation, oral sedation, minimal sedation  
660 (anxiolysis), nitrous oxide, or local anesthesia.

661 **Section 12. Subsection (1) of section 466.018, Florida**  
662 **Statutes, is amended to read:**

663 466.018 Dentist of record; patient records.—

664 (1) Each patient must ~~shall~~ have a dentist of record. The  
665 dentist of record shall remain primarily responsible for all  
666 dental treatment on such patient regardless of whether the  
667 treatment is rendered by that ~~the~~ dentist or by another dentist,  
668 a dental therapist, a dental hygienist, or a dental assistant  
669 rendering such treatment in conjunction with, at the direction  
670 or request of, or under the supervision of such dentist of  
671 record. The dentist of record must ~~shall~~ be identified in the  
672 record of the patient. If treatment is rendered by a dentist  
673 other than the dentist of record or by a dental hygienist,  
674 dental therapist, or dental assistant, the name or initials of  
675 such person must ~~shall~~ be placed in the record of the patient.

676 In any disciplinary proceeding brought pursuant to this chapter  
677 or chapter 456, it must ~~shall~~ be presumed as a matter of law  
678 that treatment was rendered by the dentist of record unless  
679 otherwise noted on the patient record pursuant to this section.  
680 The dentist of record and any other treating dentist are subject  
681 to discipline pursuant to this chapter or chapter 456 for  
682 treatment rendered to the patient and performed in violation of  
683 such chapter. One of the purposes of this section is to ensure  
684 that the responsibility for each patient is assigned to one  
685 dentist in a multidentist practice of any nature and to assign  
686 primary responsibility to the dentist for treatment rendered by  
687 a dental hygienist, dental therapist, or dental assistant under  
688 her or his supervision. This section may ~~shall~~ not be construed  
689 to assign any responsibility to a dentist of record for  
690 treatment rendered pursuant to a proper referral to another  
691 dentist who does not ~~in~~ practice with the dentist of record or  
692 to prohibit a patient from voluntarily selecting a new dentist  
693 without permission of the dentist of record.

694 **Section 13. Section 466.0225, Florida Statutes, is created**  
695 **to read:**

696 466.0225 Examination of dental therapists; licensing.—  
697 (1) Any person desiring to be licensed as a dental  
698 therapist must apply to the department to take the licensure  
699 examinations and shall verify the information required on the  
700 application by oath. The application must include two recent

701 photographs of the applicant.

702 (2) An applicant is entitled to take the examinations  
703 required under this section and receive licensure to practice  
704 dental therapy in this state if the applicant meets all of the  
705 following criteria:

706 (a) Is 18 years of age or older.

707 (b) Is a graduate of a dental therapy college or school  
708 accredited by the American Dental Association Commission on  
709 Dental Accreditation or its successor entity, if any, or any  
710 other dental therapy accrediting entity recognized by the United  
711 States Department of Education. For applicants applying for a  
712 dental therapy license before January 1, 2030, the board must  
713 approve the applicant's dental therapy education program if the  
714 program was administered by a college or school that operates an  
715 accredited dental or dental hygiene program and the college or  
716 school certifies to the board that the applicant's education  
717 substantially conformed to the education standards established  
718 by the American Dental Association Commission on Dental  
719 Accreditation or its successor entity.

720 (c) Has successfully completed a dental therapy practical  
721 or clinical examination produced by the American Board of Dental  
722 Examiners, Inc., (ADEX) or its successor entity, if any, if the  
723 board finds that the successor entity's examination meets or  
724 exceeds the requirements of this section. If an applicant fails  
725 to pass such an examination after three attempts, the applicant

726 is not eligible to retake the examination unless the applicant  
727 completes additional education requirements as specified by the  
728 board. If a dental therapy examination has not been established  
729 by ADEX, the board must administer or approve an alternative  
730 examination.

731 (d) Has not been disciplined by a board, except for  
732 citation offenses or minor violations.

733 (e) Has not been convicted of or pled nolo contendere to,  
734 regardless of adjudication, any felony or misdemeanor related to  
735 the practice of a health care profession.

736 (f) Has successfully completed a written examination on  
737 the laws and rules of this state regulating the practice of  
738 dental therapy.

739 (3) An applicant who meets the requirements of this  
740 section and who has successfully completed an examination  
741 identified in paragraph (2)(c) in a jurisdiction other than this  
742 state, or who has successfully completed a comparable  
743 examination administered or approved by the licensing authority  
744 in a jurisdiction other than this state, must be licensed to  
745 practice dental therapy in this state if the board determines  
746 that the other jurisdiction's examination is substantially  
747 similar to those identified in paragraph (2)(c).

748 **Section 14. Section 466.0227, Florida Statutes, is created**  
749 **to read:**

750 466.0227 Dental therapists; scope and area of practice.—

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

760 (2) Dental therapy services include all of the following:

761 (a) All services, treatments, and competencies identified  
762 by the American Dental Association Commission on Dental  
763 Accreditation in the commission's Accreditation Standards for  
764 Dental Therapy Education Programs.

765 (b) The following state-specific services, if the dental  
766 therapist's education included curriculum content satisfying the  
767 American Dental Association Commission on Dental Accreditation  
768 criteria for state-specific dental therapy services:

- 769 1. Evaluating radiographs.
- 770 2. Placement of space maintainers.
- 771 3. Pulpotomies on primary teeth.
- 772 4. Dispensing and administering nonopioid analgesics,  
773 including nitrous oxide, anti-inflammatories, and antibiotics,  
774 as authorized by the supervising dentist and within the  
775 parameters of the collaborative management agreement.

776 5. Oral evaluation and assessment of dental disease and  
777 formulation of an individualized treatment plan if authorized by  
778 the supervising dentist and subject to any conditions,  
779 limitations, and protocols specified by the supervising dentist  
780 in the collaborative management agreement.

781 (3) Before performing any of the services authorized in  
782 subsection (2), a dental therapist must enter into a written  
783 collaborative management agreement with a supervising dentist.  
784 The agreement must be signed by the dental therapist and the  
785 supervising dentist and must include all of the following  
786 information:

787 (a) Practice settings where services may be provided by  
788 the dental therapist and the populations to be served by the  
789 dental therapist.

790 (b) Any limitations on the services that may be provided  
791 by the dental therapist, including the level of supervision  
792 required by the supervising dentist. This may include  
793 telehealth.

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

797 (d) A procedure for creating and maintaining dental  
798 records for the patients who are treated by the dental  
799 therapist.

800 (e) A plan to manage medical emergencies in each practice



801 setting where the dental therapist provides care.

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

805 (g) Protocols for the dental therapist to administer and  
806 dispense medications, including the specific conditions and  
807 circumstances under which the medications are to be dispensed  
808 and administered.

809 (h) Criteria relating to the provision of care by the  
810 dental therapist to patients with specific medical conditions or  
811 complex medication histories, including requirements for  
812 consultation before the initiation of care.

813 (i) Supervision criteria of dental therapists.

814 (j) A plan for the provision of clinical resources and  
815 referrals in situations that are beyond the capabilities of the  
816 dental therapist.

817 (4) A supervising dentist shall determine the number of  
818 hours of practice that a dental therapist must complete under  
819 direct or indirect supervision of the supervising dentist before  
820 the dental therapist may perform any of the services authorized  
821 in subsection (2) under general or direct supervision.

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

826       (6) A supervising dentist may authorize a dental therapist  
827 to provide dental therapy services to a patient before the  
828 supervising dentist examines or diagnoses the patient if the  
829 authority, conditions, and protocols are established in a  
830 written collaborative management agreement and if the patient is  
831 subsequently referred to a dentist for any needed additional  
832 services that exceed the dental therapist's scope of practice or  
833 authorization under the collaborative management agreement.

834       (7) A supervising dentist must be licensed and practicing  
835 in this state. The supervising dentist is responsible for all  
836 services authorized and performed by the dental therapist  
837 pursuant to the collaborative management agreement and for  
838 providing or arranging followup services to be provided by a  
839 dentist for any additional services that exceed the dental  
840 therapist's scope of practice or authorization under the  
841 collaborative management agreement.

842       **Section 15. Section 466.026, Florida Statutes, is amended**  
843 **to read:**

844       466.026 Prohibitions; penalties.—

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

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

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

853 (c) Knowingly employing any person to perform duties  
 854 outside the scope allowed such person under this chapter or the  
 855 rules of the board.

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

858 (e) Selling or offering to sell a diploma conferring a  
 859 degree from a dental college, ~~or~~ dental hygiene school or  
 860 college, or dental therapy school or college, or a license  
 861 issued pursuant to this chapter, or procuring such diploma or  
 862 license with intent that it will ~~shall~~ be used as evidence of  
 863 that which the document stands for, by a person other than the  
 864 one upon whom it was conferred or to whom it was granted.

865 (2) Each of the following acts constitutes a misdemeanor  
 866 of the first degree, punishable as provided in s. 775.082 or s.  
 867 775.083:

868 (a) Using the name or title "dentist," the letters  
 869 "D.D.S." or "D.M.D.", or any other words, letters, title, or  
 870 descriptive matter which in any way represents a person as being  
 871 able to diagnose, treat, prescribe, or operate for any disease,  
 872 pain, deformity, deficiency, injury, or physical condition of  
 873 the teeth or jaws or oral-maxillofacial region unless the person  
 874 has an active dentist's license issued by the department  
 875 pursuant to this chapter.

876 (b) Using the name "dental hygienist" or the initials  
 877 "R.D.H." or otherwise holding herself or himself out as an  
 878 actively licensed dental hygienist or implying to any patient or  
 879 consumer that she or he is an actively licensed dental hygienist  
 880 unless that person has an active dental hygienist's license  
 881 issued by the department pursuant to this chapter.

882 (c) Using the name "dental therapist" or the initials  
 883 "D.T." or otherwise holding herself or himself out as an  
 884 actively licensed dental therapist or implying to any patient or  
 885 consumer that she or he is an actively licensed dental therapist  
 886 unless that person has an active dental therapist's license  
 887 issued by the department pursuant to this chapter.

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

890 (e)~~(d)~~ Knowingly concealing information relative to  
 891 violations of this chapter.

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

895 **Section 16. Paragraphs (b), (c), (g), (s), and (t) of**  
 896 **subsection (1) of section 466.028, Florida Statutes, are amended**  
 897 **to read:**

898 466.028 Grounds for disciplinary action; action by the  
 899 board.—

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

901 license or disciplinary action, as specified in s. 456.072(2):

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

906 (c) Being convicted or found guilty of or entering a plea  
907 of nolo contendere to, regardless of adjudication, a crime in  
908 any jurisdiction which relates to the practice of dentistry,  
909 dental therapy, or dental hygiene. A plea of nolo contendere  
910 creates ~~shall create~~ a rebuttable presumption of guilt to the  
911 underlying criminal charges.

912 (g) Aiding, assisting, procuring, or advising any  
913 unlicensed person to practice dentistry, dental therapy, or  
914 dental hygiene contrary to this chapter or to a rule of the  
915 department or the board.

916 (s) Being unable to practice her or his profession with  
917 reasonable skill and safety to patients by reason of illness or  
918 use of alcohol, drugs, narcotics, chemicals, or any other type  
919 of material or as a result of any mental or physical condition.  
920 In enforcing this paragraph, the department ~~shall have,~~ upon a  
921 finding of the State Surgeon General or her or his designee that  
922 probable cause exists to believe that the licensee is unable to  
923 practice dentistry, dental therapy, or dental hygiene because of  
924 the reasons stated in this paragraph, has the authority to issue  
925 an order to compel a licensee to submit to a mental or physical

926 examination by physicians designated by the department. If the  
927 licensee refuses to comply with such order, the department's  
928 order directing such examination may be enforced by filing a  
929 petition for enforcement in the circuit court where the licensee  
930 resides or does business. The licensee against whom the petition  
931 is filed may ~~shall~~ not be named or identified by initials in any  
932 public court records or documents, and the proceedings must  
933 ~~shall~~ be closed to the public. The department is ~~shall be~~  
934 entitled to the summary procedure provided in s. 51.011. A  
935 licensee affected under this paragraph must ~~shall~~ at reasonable  
936 intervals be afforded an opportunity to demonstrate that she or  
937 he can resume the competent practice of her or his profession  
938 with reasonable skill and safety to patients.

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

941 **Section 17. Paragraphs (a) and (b) of subsection (1) of**  
942 **section 466.0285, Florida Statutes, are amended to read:**

943 466.0285 Proprietorship by nondentists.—

944 (1) No person other than a dentist licensed pursuant to  
945 this chapter, nor any entity other than a professional  
946 corporation or limited liability company composed of dentists,  
947 may:

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

950 (b) Control the use of any dental equipment or material

951 while such equipment or material is being used for the provision  
 952 of dental services, whether those services are provided by a  
 953 dentist, a dental therapist, a dental hygienist, or a dental  
 954 assistant.

955  
 956 Any lease agreement, rental agreement, or other arrangement  
 957 between a nondentist and a dentist whereby the nondentist  
 958 provides the dentist with dental equipment or dental materials  
 959 shall contain a provision whereby the dentist expressly  
 960 maintains complete care, custody, and control of the equipment  
 961 or practice.

962 **Section 18. Paragraph (g) of subsection (3) of section**  
 963 **921.0022, Florida Statutes, is amended to read:**

964 921.0022 Criminal Punishment Code; offense severity  
 965 ranking chart.—

966 (3) OFFENSE SEVERITY RANKING CHART

967 (g) LEVEL 7

968

| 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                           |

969  
 970

|     |                         |     |  |
|-----|-------------------------|-----|--|
| 971 |                         |     | 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. |
| 972 |                         |     |  |
|     | 327.35 (3) (c) 2.       | 3rd | Vessel BUI resulting in serious bodily injury.   |
| 973 |                         |     |  |
|     | 402.319 (2)             | 2nd | Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.   |
| 974 |                         |     |  |
|     | 409.920<br>(2) (b) 1.a. | 3rd | Medicaid provider fraud; \$10,000 or less.   |
| 975 |                         |     |  |
|     | 409.920<br>(2) (b) 1.b. | 2nd | Medicaid provider fraud; more than \$10,000, but less than   |



\$50,000.

976

456.065 (2) 3rd Practicing a health care profession without a license.

977

456.065 (2) 2nd Practicing a health care profession without a license which results in serious bodily injury.

978

458.327 (1) 3rd Practicing medicine without a license.

979

459.013 (1) 3rd Practicing osteopathic medicine without a license.

980

460.411 (1) 3rd Practicing chiropractic medicine without a license.

981

461.012 (1) 3rd Practicing podiatric medicine without a license.

982

462.17 3rd Practicing naturopathy without a license.

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|-----|-------------|-----|--|
| 984 | 463.015 (1) | 3rd | Practicing optometry without a license.  |
| 985 | 464.016 (1) | 3rd | Practicing nursing without a license.  |
| 986 | 465.015 (2) | 3rd | Practicing pharmacy without a license.   |
| 987 | 466.026 (1) | 3rd | Practicing dentistry, <u>dental therapy</u> , or dental hygiene without a license. |
| 988 | 467.201     | 3rd | Practicing midwifery without a license.  |
| 989 | 468.366     | 3rd | Delivering respiratory care services without a license.                            |
| 990 | 483.828 (1) | 3rd | Practicing as clinical laboratory personnel without a license.                     |
|     | 483.901 (7) | 3rd | Practicing medical physics without a license.                                      |

|     |                    |     |   |
|-----|--------------------|-----|---|
| 991 | 484.013 (1) (c)    | 3rd | Preparing or dispensing optical devices without a prescription.   |
| 992 | 484.053            | 3rd | Dispensing hearing aids without a license.  |
| 993 | 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 victims. |
| 994 | 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.                                      |
| 995 | 560.125 (5) (a)    | 3rd | Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.                                     |
| 996 |                    |     |   |

|      |                    |     |  |
|------|--------------------|-----|--|
| 997  | 655.50 (10) (b) 1. | 3rd | Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.                    |
| 998  | 775.21 (10) (a)    | 3rd | Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations. |
| 999  | 775.21 (10) (b)    | 3rd | Sexual predator working where children regularly congregate.   |
| 1000 | 775.21 (10) (g)    | 3rd | Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.               |
| 1001 | 782.051 (3)        | 2nd | Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.        |

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|      |                 |     |   |
|------|-----------------|-----|---|
| 1002 | 782.07(1)       | 2nd | Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).                     |
| 1003 | 782.071         | 2nd | Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide). |
| 1004 | 782.072         | 2nd | Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).                           |
| 1005 | 784.045(1)(a)1. | 2nd | Aggravated battery; intentionally causing great bodily harm or disfigurement.   |
| 1006 | 784.045(1)(a)2. | 2nd | Aggravated battery; using deadly weapon.  |
|      | 784.045(1)(b)   | 2nd | Aggravated battery; perpetrator aware victim pregnant.  |

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|      |                 |     |   |
|------|-----------------|-----|---|
| 1007 | 784.048 (4)     | 3rd | Aggravated stalking; violation of injunction or court order.        |
| 1008 | 784.048 (7)     | 3rd | Aggravated stalking; violation of court order.                      |
| 1009 | 784.07 (2) (d)  | 1st | Aggravated battery on law enforcement officer.                      |
| 1010 | 784.074 (1) (a) | 1st | Aggravated battery on sexually violent predators facility staff.    |
| 1011 | 784.08 (2) (a)  | 1st | Aggravated battery on a person 65 years of age or older.            |
| 1012 | 784.081 (1)     | 1st | Aggravated battery on specified official or employee.               |
| 1013 | 784.082 (1)     | 1st | Aggravated battery by detained person on visitor or other detainee. |
| 1014 | 784.083 (1)     | 1st | Aggravated battery on code  |

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| 1015 |                |     | inspector.   |
|      | 787.06(3)(a)2. | 1st | Human trafficking using coercion for labor and services of an adult.   |
| 1016 |                |     |  |
|      | 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. |
| 1017 |                |     |  |
|      | 790.07(4)      | 1st | Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).  |
| 1018 |                |     |  |
|      | 790.16(1)      | 1st | Discharge of a machine gun under specified circumstances.  |
| 1019 |                |     |  |
|      | 790.165(2)     | 2nd | Manufacture, sell, possess, or deliver hoax bomb.  |
| 1020 |                |     |  |
|      | 790.165(3)     | 2nd | Possessing, displaying, or threatening to use any hoax   |

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| 1021 |             |         | bomb while committing or attempting to commit a felony.  |
|      | 790.166 (3) | 2nd     | Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.  |
| 1022 |             |         |  |
|      | 790.166 (4) | 2nd     | Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.     |
| 1023 |             |         |  |
|      | 790.23      | 1st,PBL | Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.                              |
| 1024 |             |         |  |
|      | 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. |
| 1025 |             |         |  |
|      | 796.05 (1)  | 1st     | Live on earnings of a  |



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| 1026 |                   |     | prostitute; 2nd offense.   |
|      | 796.05 (1)        | 1st | Live on earnings of a prostitute; 3rd and subsequent offense.  |
| 1027 |                   |     |  |
|      | 800.04 (5) (c) 1. | 2nd | Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.  |
| 1028 |                   |     |  |
|      | 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.                               |
| 1029 |                   |     |  |
|      | 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. |
| 1030 |                   |     |  |
|      | 806.01 (2)        | 2nd | Maliciously damage structure by  |

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| 1031 |                    |     | fire or explosive.  |
| 1031 | 810.02 (3) (a)     | 2nd | Burglary of occupied dwelling;<br>unarmed; no assault or battery.   |
| 1032 | 810.02 (3) (b)     | 2nd | Burglary of unoccupied<br>dwelling; unarmed; no assault<br>or battery.  |
| 1033 | 810.02 (3) (d)     | 2nd | Burglary of occupied<br>conveyance; unarmed; no assault<br>or battery.  |
| 1034 | 810.02 (3) (e)     | 2nd | Burglary of authorized<br>emergency vehicle.  |
| 1035 | 812.014 (2) (a) 1. | 1st | Property stolen, valued at<br>\$100,000 or more or a<br>semitrailer deployed by a law<br>enforcement officer; property<br>stolen while causing other<br>property damage; 1st degree<br>grand theft. |
| 1036 | 812.014 (2) (b) 2. | 2nd | Property stolen, cargo valued   |

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| 1037 |                    |     | at less than \$50,000, grand theft in 2nd degree.  |
|      | 812.014 (2) (b) 3. | 2nd | Property stolen, emergency medical equipment; 2nd degree grand theft.                                      |
| 1038 |                    |     |  |
|      | 812.014 (2) (b) 4. | 2nd | Property stolen, law enforcement equipment from authorized emergency vehicle.                              |
| 1039 |                    |     |  |
|      | 812.014 (2) (g)    | 2nd | Grand theft; second degree; firearm with previous conviction of s. 812.014(2)(c)5.                         |
| 1040 |                    |     |  |
|      | 812.0145(2)(a)     | 1st | Theft from person 65 years of age or older; \$50,000 or more.  |
| 1041 |                    |     |  |
|      | 812.019(2)         | 1st | Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property. |
| 1042 |                    |     |  |
|      | 812.131(2)(a)      | 2nd | Robbery by sudden snatching.   |

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| 1043 | 812.133 (2) (b)                  | 1st | Carjacking; no firearm, deadly weapon, or other weapon.  |
| 1044 | 817.034 (4) (a) 1.               | 1st | Communications fraud, value greater than \$50,000.   |
| 1045 | 817.234 (8) (a)                  | 2nd | Solicitation of motor vehicle accident victims with intent to defraud.   |
| 1046 | 817.234 (9)                      | 2nd | Organizing, planning, or participating in an intentional motor vehicle collision.  |
| 1047 | 817.234 (11) (c)                 | 1st | Insurance fraud; property value \$100,000 or more.   |
| 1048 | 817.2341<br>(2) (b) &<br>(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. |

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| 1049 | 817.418 (2) (a) | 3rd | Offering for sale or advertising personal protective equipment with intent to defraud.                             |
| 1050 | 817.504 (1) (a) | 3rd | Offering or advertising a vaccine with intent to defraud.  |
| 1051 | 817.535 (2) (a) | 3rd | Filing false lien or other unauthorized document.  |
| 1052 | 817.611 (2) (b) | 2nd | Traffic in or possess 15 to 49 counterfeit credit cards or related documents.                                      |
| 1053 | 825.102 (3) (b) | 2nd | Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.            |
| 1054 | 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. |

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| 1055 | 827.03 (2) (b)    | 2nd | Neglect of a child causing great bodily harm, disability, or disfigurement.                                       |
| 1056 | 827.04 (3)        | 3rd | Impregnation of a child under 16 years of age by person 21 years of age or older.                                 |
| 1057 | 827.071 (2) & (3) | 2nd | Use or induce a child in a sexual performance, or promote or direct such performance.                             |
| 1058 | 827.071 (4)       | 2nd | Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography. |
| 1059 | 837.05 (2)        | 3rd | Giving false information about alleged capital felony to a law enforcement officer.                               |
| 1060 | 838.015           | 2nd | Bribery.  |
| 1061 | 838.016           | 2nd | Unlawful compensation or reward   |

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|      |                 |     | for official behavior.  |
| 1062 | 838.021 (3) (a) | 2nd | Unlawful harm to a public servant.  |
| 1063 | 838.22          | 2nd | Bid tampering.  |
| 1064 | 843.0855 (2)    | 3rd | Impersonation of a public officer or employee.                                  |
| 1065 | 843.0855 (3)    | 3rd | Unlawful simulation of legal process.   |
| 1066 | 843.0855 (4)    | 3rd | Intimidation of a public officer or employee.                                   |
| 1067 | 847.0135 (3)    | 3rd | Solicitation of a child, via a computer service, to commit an unlawful sex act. |
| 1068 | 847.0135 (4)    | 2nd | Traveling to meet a minor to commit an unlawful sex act.                        |
| 1069 | 872.06          | 2nd | Abuse of a dead human body.   |
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| 1071 | 874.05 (2) (b)    | 1st      | Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.   |
| 1072 | 874.10            | 1st, PBL | Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.   |
| 1073 | 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. |
|      | 893.13 (1) (e) 1. | 1st      | Sell, manufacture, or deliver cocaine or other drug prohibited under s.  |



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|      |                       |     | 893.03(1)(a), (1)(b), (1)(d),<br>(2)(a), (2)(b), or (2)(c)5.,<br>within 1,000 feet of property<br>used for religious services or<br>a specified business site. |
| 1074 | 893.13(4)(a)          | 1st | Use or hire of minor; deliver<br>to minor other controlled<br>substance.   |
| 1075 | 893.135(1)(a)1.       | 1st | Trafficking in cannabis, more<br>than 25 lbs., less than 2,000<br>lbs.   |
| 1076 | 893.135<br>(1)(b)1.a. | 1st | Trafficking in cocaine, more<br>than 28 grams, less than 200<br>grams.   |
| 1077 | 893.135<br>(1)(c)1.a. | 1st | Trafficking in illegal drugs,<br>more than 4 grams, less than 14<br>grams.   |
| 1078 | 893.135<br>(1)(c)2.a. | 1st | Trafficking in hydrocodone, 28<br>grams or more, less than 50<br>grams.  |

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| 893.135<br>(1) (c) 2.b.     | 1st | Trafficking in hydrocodone, 50<br>grams or more, less than 100<br>grams.     |
| 893.135<br>(1) (c) 3.a.     | 1st | Trafficking in oxycodone, 7<br>grams or more, less than 14<br>grams.         |
| 893.135<br>(1) (c) 3.b.     | 1st | Trafficking in oxycodone, 14<br>grams or more, less than 25<br>grams.        |
| 893.135<br>(1) (c) 4.b. (I) | 1st | Trafficking in fentanyl, 4<br>grams or more, less than 14<br>grams.          |
| 893.135<br>(1) (d) 1.a.     | 1st | Trafficking in phencyclidine,<br>28 grams or more, less than 200<br>grams.   |
| 893.135 (1) (e) 1.          | 1st | Trafficking in methaqualone,<br>200 grams or more, less than 5<br>kilograms. |

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| 1086 | 893.135 (1) (f) 1.      | 1st | Trafficking in amphetamine, 14 grams or more, less than 28 grams.                          |
| 1087 | 893.135<br>(1) (g) 1.a. | 1st | Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.                         |
| 1088 | 893.135<br>(1) (h) 1.a. | 1st | Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms. |
| 1089 | 893.135<br>(1) (j) 1.a. | 1st | Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.                  |
| 1090 | 893.135<br>(1) (k) 2.a. | 1st | Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.                     |
| 1091 | 893.135<br>(1) (m) 2.a. | 1st | Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.             |

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| 1092 | 893.135<br>(1) (m) 2.b. | 1st | Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.   |
| 1093 | 893.135<br>(1) (n) 2.a. | 1st | Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.  |
| 1094 | 893.1351 (2)            | 2nd | Possession of place for trafficking in or manufacturing of controlled substance.   |
| 1095 | 896.101 (5) (a)         | 3rd | Money laundering, financial transactions exceeding \$300 but less than \$20,000.   |
| 1096 | 896.104 (4) (a) 1.      | 3rd | Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000. |
|      | 943.0435 (4) (c)        | 2nd | Sexual offender vacating permanent residence; failure to comply with reporting   |

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| 1097 |                  |     | requirements.  |
|      | 943.0435 (8)     | 2nd | Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.                       |
| 1098 |                  |     |  |
|      | 943.0435 (9) (a) | 3rd | Sexual offender; failure to comply with reporting requirements.  |
| 1099 |                  |     |  |
|      | 943.0435 (13)    | 3rd | Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.                           |
| 1100 |                  |     |  |
|      | 943.0435 (14)    | 3rd | Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information. |
| 1101 |                  |     |  |
|      | 944.607 (9)      | 3rd | Sexual offender; failure to comply with reporting requirements.  |

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| 944.607(10) (a) | 3rd | Sexual offender; failure to submit to the taking of a digitized photograph.  |
| 944.607(12)     | 3rd | Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.                           |
| 944.607(13)     | 3rd | Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information. |
| 985.4815(10)    | 3rd | Sexual offender; failure to submit to the taking of a digitized photograph.  |
| 985.4815(12)    | 3rd | Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.                           |



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1128 |           (4) Any other information the department deems  
1129 | appropriate.

1130 |           **Section 20.** This act shall take effect July 1, 2025.