

1 A bill to be entitled
2 An act relating to naturopathic medicine;
3 redesignating the title of ch. 462, F.S., from
4 "Naturopathy" to "Naturopathic Medicine"; creating s.
5 462.001, F.S.; providing legislative findings and
6 purpose; creating s. 462.002, F.S.; providing
7 applicability and construction; renumbering and
8 amending s. 462.01, F.S.; revising and defining terms;
9 creating s. 462.004, F.S.; creating the Board of
10 Naturopathic Medicine within the Department of Health;
11 providing for membership of the board; requiring the
12 board, in conjunction with the department, to
13 establish a disciplinary training program for board
14 members; providing requirements for the program;
15 providing that board members may not participate in
16 probable cause panels or disciplinary decisions unless
17 they have completed the training program; requiring
18 board members appointed to probable cause panels to
19 attempt to complete their work on every case
20 presented; authorizing board members to reconvene a
21 probable cause panel under certain circumstances;
22 providing applicability; renumbering and amending s.
23 462.023, F.S.; authorizing the board to adopt rules;
24 deleting obsolete language; creating s. 462.006, F.S.;
25 prohibiting certain unlicensed persons from practicing

26 | naturopathic medicine or promoting, identifying, or
27 | describing themselves using specified titles or
28 | abbreviations; providing construction; creating s.
29 | 462.007, F.S.; providing for licensure by examination
30 | of naturopathic physicians; requiring the department
31 | and the board to use an investigative process that
32 | ensures applicants meet the applicable criteria;
33 | authorizing the State Surgeon General or her or his
34 | designee to issue a 90-day licensure delay under
35 | certain circumstances; providing construction;
36 | prohibiting the board from certifying for licensure
37 | certain applicants until a certain investigation is
38 | completed; providing applicability; prohibiting the
39 | department from issuing a license to certain
40 | applicants until the board has reviewed the
41 | application and certified the applicant for licensure;
42 | authorizing the board to enter an order imposing
43 | certain sanctions against or conditions on an
44 | applicant for licensure under certain circumstances;
45 | creating s. 462.008, F.S.; providing for licensure by
46 | endorsement of naturopathic physicians; renumbering
47 | and amending s. 462.08, F.S.; revising requirements
48 | for licensure renewal for naturopathic physicians;
49 | requiring the department to adopt rules; renumbering
50 | and amending s. 462.18, F.S.; revising continuing

51 education requirements for naturopathic physicians;
52 requiring naturopathic physicians to use the
53 department's electronic continuing education tracking
54 system to demonstrate compliance with continuing
55 education requirements; renumbering and amending s.
56 462.19, F.S.; revising provisions related to
57 reactivation of inactive naturopathic physician
58 licenses; requiring the board to adopt rules relating
59 to the reactivation of inactive licenses; providing
60 requirements for the rules; prohibiting the department
61 from reactivating a license until certain conditions
62 have been met; renumbering and amending s. 462.11,
63 F.S.; conforming a provision to changes made by the
64 act; creating s. 462.014, F.S.; requiring the board to
65 adopt rules providing for the handling of medical
66 records by licensed naturopathic physicians; providing
67 requirements for such rules; creating s. 462.015,
68 F.S.; providing financial responsibility requirements
69 as a condition of licensure for naturopathic
70 physicians; providing exemptions from such
71 requirements; requiring certain insuring entities to
72 notify the department promptly of a naturopathic
73 physician's cancellation or nonrenewal of insurance;
74 requiring the department to suspend the license of a
75 naturopathic physician under certain circumstances

76 | until the licensee demonstrates compliance with
77 | specified requirements; providing applicability;
78 | requiring certain naturopathic physicians to provide a
79 | specified notice to their patients; providing
80 | requirements for the notice; providing for permanent
81 | disqualification from any exemption from the financial
82 | responsibility requirements, and for disciplinary
83 | action, for specified conduct; requiring certain
84 | naturopathic physicians to notify the department in
85 | writing of any change in circumstance and demonstrate
86 | compliance with certain requirements; requiring the
87 | department to suspend the license of a naturopathic
88 | physician under certain circumstances until certain
89 | requirements are met; providing applicability;
90 | requiring the board to adopt rules; renumbering and
91 | amending s. 462.13, F.S.; conforming a provision to
92 | changes made by the act; renumbering and amending s.
93 | 462.14, F.S.; revising grounds for disciplinary
94 | action; providing construction; providing for
95 | disciplinary actions by the board and department;
96 | providing for the standard of proof in certain
97 | administrative actions; providing requirements for the
98 | reinstatement of a license for certain persons;
99 | providing requirements for disciplinary guidelines
100 | adopted by the board; providing requirements and

101 procedures for the department's receipt of certain
102 closed claims and reports involving a licensed
103 naturopathic physician; authorizing the department to
104 bring an action to enjoin a naturopathic physician
105 from providing medical services under certain
106 circumstances; requiring the department to furnish
107 certain documents promptly to a naturopathic physician
108 or her or his attorney upon undertaking an
109 investigation of the naturopathic physician;
110 authorizing a naturopathic physician who is the
111 subject of such investigation to submit a written
112 response within a specified timeframe; requiring that
113 the response be considered by the probable cause
114 panel, if held on the matter; creating s. 462.018,
115 F.S.; prohibiting licensed naturopathic physicians
116 from holding themselves out as board-certified
117 specialists unless certified by the board regulating
118 such specialty; authorizing licensed naturopathic
119 physicians to indicate or state accurately which
120 services or types of services they provide within the
121 scope of practice of naturopathic medicine;
122 renumbering and amending s. 462.17, F.S.; providing
123 criminal penalties for specified violations relating
124 to the practice of naturopathic medicine; creating s.
125 462.024, F.S.; providing that patients are responsible

126 for advising treating health care practitioners about
127 any legend drug, nutrient, or natural medicinal
128 substance that a naturopathic physician has prescribed
129 or recommended to the patient; requiring naturopathic
130 physicians to advise their patients of such
131 responsibility; creating a rebuttable presumption that
132 certain injuries sustained by a patient are caused by
133 her or his failure to disclose such information as
134 required; providing for the rebuttal of such
135 presumption under certain circumstances; providing
136 construction; providing that a naturopathic physician
137 is not required to confirm whether a patient has
138 disclosed this information to another treating health
139 care practitioner; creating s. 462.025, F.S.;
140 providing severability; renumbering s. 462.09, F.S.,
141 relating to disposition of fees; repealing s. 462.16,
142 F.S., relating to reissue of license; repealing s.
143 462.2001, F.S., relating to saving clause; amending
144 ss. 20.43, 381.0031, 468.301, 476.044, 477.0135,
145 485.003, 486.161, 627.351, 893.02, and 921.0022, F.S.;
146 conforming provisions to changes made by the act;
147 providing an effective date.

148

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

150

151 **Section 1.** Chapter 462, Florida Statutes, entitled
152 "Naturopathy," is redesignated as "Naturopathic Medicine."

153 **Section 2. Section 462.001, Florida Statutes, is created**
154 **to read:**

155 462.001 Legislative findings; purpose.—

156 (1) The Legislature finds that a significant number of
157 this state's residents choose naturopathic medicine for their
158 health care needs, and the Legislature acknowledges that
159 naturopathic medicine is a distinct health care profession that
160 affects the public health, safety, and welfare and contributes
161 to freedom of choice in health care.

162 (2) The purpose of this chapter is to provide standards
163 for the licensing and regulation of naturopathic physicians in
164 order to protect the public health, safety, and welfare; to
165 ensure that naturopathic health care provided by qualified
166 naturopathic physicians is available to residents of this state;
167 and to provide a means of identifying qualified naturopathic
168 physicians.

169 **Section 3. Section 462.002, Florida Statutes, is created**
170 **to read:**

171 462.002 Exceptions.—

172 (1) This chapter does not apply to:

173 (a) Other duly licensed health care practitioners acting
174 within their respective scopes of practice, as authorized by
175 statute.

176 (b) Students practicing under the direct supervision of a
177 licensed naturopathic physician as part of a preceptorship
178 program while enrolled in a college or university program that
179 is accredited by, or has candidacy status with, the Council on
180 Naturopathic Medical Education or an equivalent accrediting body
181 for the naturopathic medical profession which is recognized by
182 the United States Department of Education and the board.

183 (c) Naturopathic residents practicing under the direct
184 supervision of a licensed naturopathic physician at a residency
185 site recognized by the Council on Naturopathic Medical Education
186 or by an equivalent accrediting body for the naturopathic
187 medical profession which is recognized by the United States
188 Department of Education and the board.

189 (d) The practice of the religious tenets of any church in
190 this state.

191 (e) The domestic administration of recognized family
192 remedies.

193 (2) This chapter does not prohibit:

194 (a) A person who sells a dietary supplement from providing
195 information about the dietary supplement.

196 (b) Any person:

197 1. Not licensed as a naturopathic physician from employing
198 in their occupation ayurveda, herbalism, homeopathy, nutrition,
199 traditional naturopathy, or other natural therapy included as
200 part of the practice of naturopathic medicine as defined in s.

201 462.003(8)(a); or
 202 2. From using such terms as, but not limited to,
 203 "traditional naturopath," provided that the person does not:
 204 a. Use a title protected under s. 462.006;
 205 b. Represent or assume the character or appearance of a
 206 person described in s. 462.006; or
 207 c. Use a name, title, or other designation that indicates
 208 or implies that she or he is a person described in s. 462.006.

209 (3) This chapter may not be construed to prohibit any
 210 service rendered by a person if such service is rendered under
 211 the direct supervision and control of a licensed naturopathic
 212 physician who is available if needed, provides specific
 213 direction for any service to be performed, and gives final
 214 approval for all services performed.

215 **Section 4. Section 462.01, Florida Statutes, is renumbered**
 216 **as section 462.003, Florida Statutes, and amended to read:**

217 462.003 ~~462.01~~ Definitions.—As used in this chapter, the
 218 term:

219 (1) "Board" means the Board of Naturopathic Medicine
 220 ~~"Natureopathy" and "Naturopathy" shall be construed as~~
 221 ~~synonymous terms and mean the use and practice of psychological,~~
 222 ~~mechanical, and material health sciences to aid in purifying,~~
 223 ~~eleansing, and normalizing human tissues for the preservation or~~
 224 ~~restoration of health, according to the fundamental principles~~
 225 ~~of anatomy, physiology, and applied psychology, as may be~~

226 ~~required. Naturopathic practice employs, among other agencies,~~
227 ~~phytotherapy, dietetics, psychotherapy, suggestotherapy,~~
228 ~~hydrotherapy, zone therapy, biochemistry, external applications,~~
229 ~~electrotherapy, mechanotherapy, mechanical and electrical~~
230 ~~appliances, hygiene, first aid, sanitation, and heliotherapy;~~
231 ~~provided, however, that nothing in this chapter shall be held or~~
232 ~~construed to authorize any naturopathic physician licensed~~
233 ~~hereunder to practice materia medica or surgery or chiropractic~~
234 ~~medicine, nor shall the provisions of this law in any manner~~
235 ~~apply to or affect the practice of osteopathic medicine,~~
236 ~~chiropractic medicine, Christian Science, or any other treatment~~
237 ~~authorized and provided for by law for the cure or prevention of~~
238 ~~disease and ailments.~~

239 (2) "Department" means the Department of Health.

240 (3) "Division" means the Division of Medical Quality
241 Assurance of the department.

242 (4) "Legend drug" has the same meaning as "prescription
243 drug" as defined in s. 499.003.

244 (5) "Naturopathic doctoral degree" means the "Doctor of
245 Naturopathic Medicine," "Doctor of Naturopathy," or "Diploma of
246 Naturopathic Medicine" degree, designated with the post-nominals
247 "N.D." or "N.M.D.," from a college or university that is
248 accredited by, or has candidacy status with, the Council on
249 Naturopathic Medical Education or an equivalent accrediting body
250 for the naturopathic medical profession which is recognized by

251 the United States Department of Education and the board. When
252 referring to a naturopathic doctoral degree, the terms and post-
253 nominals specified in this subsection must be construed as
254 equivalent to each other.

255 (6) "Naturopathic physician," which must be construed as
256 synonymous with the term "naturopathic doctor," means a person
257 with a naturopathic doctoral degree who is licensed to practice
258 naturopathic medicine under this chapter.

259 (7) "Naturopathic therapeutic order" means a principle
260 defined by the American Association of Naturopathic Physicians
261 to guide naturopathic physicians in resolving a patient's
262 symptoms and addressing the root cause of a patient's disease
263 while using the least therapeutic force necessary.

264 (8) (a) "Practice of naturopathic medicine," which must be
265 construed as synonymous with the term "naturopathic medicine,"
266 means the diagnosis, prevention, and treatment by a naturopathic
267 physician of any deformity, disease, injury, pain, or other
268 physical or mental condition using botanical or fungal extracts,
269 clinical nutrition, counseling techniques, dietary supplements,
270 environmental medicine, homeopathic remedies, compounded
271 bioidentical hormones, legend drugs, lifestyle medicine, or
272 physical medicine in a manner consistent with prescriptive
273 rights as defined herein, and emphasizing the importance of the
274 principles of naturopathic medicine and the naturopathic
275 therapeutic order.

276 (b) The practice of naturopathic medicine does not include
277 any of the following:

278 1. Prescribing, dispensing, or administering any legend
279 drug.

280 2. Performing any surgical procedure.

281 3. Practicing or claiming to practice as a medical doctor
282 or physician, an osteopathic physician, a dentist, a podiatric
283 physician, an optometrist, a psychologist, a nurse practitioner,
284 a physician assistant, a chiropractic physician, a physical
285 therapist, an acupuncturist, a midwife, or any other health care
286 practitioner as defined in s. 456.001.

287 4. Using general or spinal anesthetics.

288 5. Administering ionizing radioactive substances.

289 6. Performing chiropractic or osteopathic adjustments or
290 manipulations that include high-velocity thrusts at or beyond
291 the end range of normal joint motion, unless the naturopathic
292 physician is also licensed as a chiropractic physician or an
293 osteopathic physician.

294 7. Performing acupuncture, unless the naturopathic
295 physician is also licensed as an acupuncturist.

296 8. Prescribing, dispensing, or administering for cosmetic
297 purposes any legend drug specified in the definition of the term
298 prescriptive rights.

299 9. Managing labor and delivery, unless the naturopathic
300 physician is also a licensed midwife.

301 (9) "Preceptorship program" means a component of a
302 naturopathic doctoral degree program which allows naturopathic
303 medical students to observe health care practitioners while
304 attending patients, giving naturopathic medical students a wide
305 variety of experiences in different health care settings in
306 order to develop clinical knowledge, attitudes, and skills
307 relevant to the role of a naturopathic physician.

308 (10) "Prescriptive rights" means the administration,
309 prescription, or use of clinical laboratory testing; diagnostic
310 imaging; injection therapy using herbs, homeopathic remedies,
311 and nutritional agents in sterile form; medical devices; and
312 oral or topical compounded bioidentical hormones, all of which
313 are routinely used in the practice of naturopathic medicine.

314 (11) "Principles of naturopathic medicine" means the
315 foundations of naturopathic medical education and practice as
316 set forth by the American Association of Naturopathic
317 Physicians, including all of the following principles:

- 318 (a) The healing power of nature.
319 (b) Identify and treat the causes.
320 (c) First do no harm.
321 (d) Doctor as teacher.
322 (e) Treat the whole person.
323 (f) Prevention.

324 (12) "Traditional naturopathy" means the use of the
325 naturopathic therapeutic order, the principles of naturopathic

326 medicine, or natural therapies included as part of the practice
327 of naturopathic medicine as defined in this section, excluding
328 the use of anything defined herein as a prescriptive right by
329 individuals not meeting the definition of a naturopathic
330 physician.

331 **Section 5. Section 462.004, Florida Statutes, is created**
332 **to read:**

333 462.004 Board of Naturopathic Medicine.—

334 (1) There is created within the department the Board of
335 Naturopathic Medicine, composed of seven members appointed by
336 the Governor and confirmed by the Senate.

337 (2) (a) Five members of the board must be licensed
338 naturopathic physicians in good standing in this state who are
339 residents of this state.

340 (b) Two members must be residents of this state who are
341 not, and have never been, licensed health care practitioners.

342 (c) At least one member must be 55 years of age or older.

343 (3) For the purpose of staggering terms, the Governor
344 shall initially appoint to the board three members for terms of
345 4 years each, two members for terms of 3 years each, and two
346 members for terms of 2 years each. As the terms of board members
347 expire, the Governor shall appoint successors for terms of 4
348 years, and such members shall serve until their successors are
349 appointed.

350 (4) The board, in conjunction with the department, shall

351 establish a disciplinary training program for members of the
352 board. The program must provide for initial and, thereafter,
353 periodic training on the grounds for disciplinary action, the
354 actions that may be taken by the board and the department,
355 changes in relevant statutes and rules, and all relevant
356 judicial and administrative decisions. A member of the board may
357 not participate on a probable cause panel or in a disciplinary
358 decision of the board unless she or he has completed the
359 disciplinary training program.

360 (5) During the terms of service of members of the board on
361 a probable cause panel, such members shall attempt to complete
362 their work on every case presented to them. If consideration of
363 a case has begun but is not completed during the terms of
364 service of the board members on the panel, the board members may
365 reconvene as a probable cause panel for the purpose of
366 completing their deliberations on that case.

367 (6) All provisions of chapter 456 relating to activities
368 of boards apply to the board.

369 **Section 6. Section 462.023, Florida Statutes, is**
370 **renumbered as section 462.005, Florida Statutes, and amended to**
371 **read:**

372 462.005 462.023 Rulemaking authority; powers and duties of
373 the board department.—The board department may adopt such rules
374 pursuant to ss. 120.536(1) and 120.54 to implement the
375 provisions of this chapter conferring duties upon it and as are

376 ~~necessary~~ to carry out the purposes of this chapter, and may
377 initiate disciplinary action as provided by this chapter, ~~and~~
378 ~~shall establish fees based on its estimates of the revenue~~
379 ~~required to administer this chapter but shall not exceed the fee~~
380 ~~amounts provided in this chapter. The department shall not adopt~~
381 ~~any rules which would cause any person who was not licensed in~~
382 ~~accordance with this chapter on July 1, 1959, and had not been a~~
383 ~~resident of the state for 2 years prior to such date, to become~~
384 ~~licensed.~~

385 **Section 7. Section 462.006, Florida Statutes, is created**
386 **to read:**

387 462.006 License required.—

388 (1) Unless licensed under this chapter, a person may not
389 practice naturopathic medicine in this state and may not
390 promote, identify, or describe herself or himself as a "doctor
391 of naturopathic medicine," a "naturopathic doctor," a "doctor of
392 naturopathy," or a "naturopathic physician" or use the post-
393 nominals "N.D." or "N.M.D." However, this section may not be
394 construed to prohibit any person licensed in this state under
395 any other law from engaging in the practice for which she or he
396 is licensed.

397 (2) This chapter does not restrict the use of traditional
398 naturopathy by individuals who clearly represent themselves as
399 traditional naturopaths.

400 **Section 8. Section 462.007, Florida Statutes, is created**

401 **to read:**

402 462.007 Licensure by examination.—

403 (1) Any person desiring to be licensed as a naturopathic
404 physician must apply to the department on forms furnished by the
405 department. The department shall license each applicant who
406 completes the application form and who the board certifies has
407 met all of the following criteria:

408 (a) Is at least 21 years of age.

409 (b) Has received a bachelor's degree from one of the
410 following:

411 1. A college or university accredited by an accrediting
412 agency recognized by the United States Department of Education
413 or the Council for Higher Education Accreditation or its
414 successor entity.

415 2. A college or university in Canada which is a member of
416 Universities Canada.

417 3. A college or university in a foreign country, and such
418 applicant has provided evidence that her or his educational
419 credentials are deemed equivalent to those provided in this
420 country. To have educational credentials deemed equivalent, the
421 applicant must provide her or his foreign educational
422 credentials, including transcripts, course descriptions or
423 syllabi, and diplomas, to a nationally recognized educational
424 credential evaluating agency approved by the board for the
425 evaluation and determination of equivalency of the foreign

426 educational credentials.

427 (c) Has received a naturopathic doctoral degree from a
428 college or program accredited by, or having candidacy status
429 with, the Council on Naturopathic Medical Education or another
430 accrediting agency recognized by the United States Department of
431 Education and the board.

432 (d) Is physically and mentally fit to practice as a
433 naturopathic physician.

434 (e) Is of good moral character and has not done any of the
435 following:

436 1. Committed any act or offense in this or any other
437 jurisdiction which would constitute the basis for disciplining a
438 naturopathic physician pursuant to s. 462.017.

439 2. Had an application for licensure in any profession
440 denied or had her or his license to practice any profession
441 revoked or suspended by any other state, district, or territory
442 of the United States or another country for reasons that relate
443 to her or his ability to practice skillfully and safely as a
444 naturopathic physician.

445 3. Been found guilty of a felony.

446
447 The board and the department shall ensure that applicants for
448 licensure meet the criteria of this paragraph by independently
449 verifying the provided information through the department's
450 investigative process.

451 (f) Has submitted to the department a set of fingerprints
452 on a form and in accordance with procedures specified by the
453 department, along with payment in an amount equal to the costs
454 incurred by the department for the criminal background check of
455 the applicant.

456 (g) Has demonstrated compliance with the financial
457 responsibility requirements imposed under s. 462.015.

458 (h) Has obtained a passing score, as determined by board
459 rule, on Part I - Biomedical Science Examination and Part II -
460 Core Clinical Science Examination of the competency-based
461 national Naturopathic Physician Licensing Examination
462 administered by the North American Board of Naturopathic
463 Examiners, or an equivalent examination offered by an equivalent
464 or successor entity, as approved by the board.

465 (2) The department and the board shall ensure that
466 applicants for licensure satisfy the applicable criteria in this
467 section through an investigative process. If the investigative
468 process is not completed within the timeframe established in s.
469 120.60(1) and the department or board has reason to believe that
470 the applicant does not meet such criteria, the State Surgeon
471 General or her or his designee may issue a 90-day licensure
472 delay, which must be in writing and sufficient to notify the
473 applicant of the reason for the delay. This subsection prevails
474 over any conflicting provision of s. 120.60(1).

475 (3) The board may not certify to the department for

476 licensure any applicant who is under investigation in another
477 jurisdiction for an offense that would constitute a violation of
478 this chapter or chapter 456 until the investigation has been
479 completed. Upon completion of the investigation, s. 462.017
480 applies.

481 (4) (a) The department may not issue a license to any
482 individual who has committed an act or offense in any
483 jurisdiction which would constitute the basis for disciplining a
484 naturopathic physician under s. 462.017 until the board has
485 reviewed the application and certified the applicant for
486 licensure.

487 (b) If the board finds that an applicant for licensure has
488 committed an act or offense in any jurisdiction which would
489 constitute the basis for disciplining a naturopathic physician
490 under s. 462.017, the board may enter an order imposing one or
491 more of the sanctions set forth in that section and s.
492 456.072(2) as applicable to applicants for licensure, including
493 refusing to certify an application for licensure or certifying
494 an application for licensure with conditions.

495 (5) If the board determines that an applicant for
496 licensure has failed to meet, to the board's satisfaction, any
497 of the requirements of this section, it may enter an order
498 imposing one or more of the following sanctions:

499 (a) Refusal to certify to the department an application
500 for licensure.

501 (b) Certification to the department of an application for
 502 licensure with restrictions on the scope of practice of the
 503 naturopathic physician.

504 (c) Certification to the department of an application for
 505 licensure with a probationary period for the applicant, subject
 506 to such conditions as the board specifies, including, but not
 507 limited to, requiring the naturopathic physician to submit to
 508 treatment, attend continuing education courses, submit to
 509 reexamination, or work under the supervision of another
 510 naturopathic physician.

511 **Section 9. Section 462.008, Florida Statutes, is created**
 512 **to read:**

513 462.008 Licensure by endorsement.—The department shall
 514 issue a license to practice naturopathic medicine by endorsement
 515 to an applicant who, upon applying to the department on forms
 516 furnished by the department, the board certifies has met the
 517 requirements for licensure by endorsement under s. 456.0145.

518 **Section 10. Section 462.08, Florida Statutes, is**
 519 **renumbered as section 462.009, Florida Statutes, and amended to**
 520 **read:**

521 462.009 ~~462.08~~ Renewal of license to practice naturopathic
 522 medicine naturopathy.—

523 (1) In order to continue practicing naturopathic medicine
 524 in this state, each licensed naturopathic physician must
 525 licenseholder shall biennially renew her or his license to

526 | practice naturopathic medicine ~~naturopathy~~. The applicant for
 527 | license renewal must furnish to the board ~~department~~ such
 528 | evidence as it requires of the applicant's compliance with s.
 529 | 462.011 ~~s. 462.18~~, relating to continuing education ~~educational~~
 530 | requirements, and s. 462.015, relating to financial
 531 | responsibility requirements. The nonrefundable biennial renewal
 532 | fee, the amount of which shall be determined by the department
 533 | but which may not exceed \$1,000, must be paid at the time the
 534 | application for renewal of the license is filed.

535 | (2) The department shall adopt rules establishing
 536 | procedures for the biennial renewal of licenses under this
 537 | chapter.

538 | **Section 11. Section 462.18, Florida Statutes, is**
 539 | **renumbered as section 462.011, Florida Statutes, and amended to**
 540 | **read:**

541 | 462.011 ~~462.18~~ Continuing education ~~Educational~~
 542 | requirements.

543 | (1) At the time each licensee renews ~~shall renew~~ her or
 544 | his license as ~~otherwise~~ provided in s. 462.009 ~~this chapter~~,
 545 | each licensee must, ~~in addition to the payment of the regular~~
 546 | ~~renewal fee, shall~~ furnish to the board ~~department~~ satisfactory
 547 | evidence that, in the preceding biennial period, the licensee
 548 | has completed the continuing education requirements of this
 549 | section.

550 | (2) The board shall require each licensee to complete at

551 least 60 hours of continuing education during each biennial
552 renewal period.

553 (a) The board shall approve organizations that accredit
554 naturopathic continuing education providers, including, but not
555 limited to, the American Association of Naturopathic Physicians,
556 the North American Naturopathic Continuing Education
557 Accreditation Council, and the Oregon Association of
558 Naturopathic Physicians.

559 (b) The determination of whether substitute continuing
560 education programs are permissible is solely within the
561 discretion of the board.

562 (3) The licensee must use the electronic continuing
563 education tracking system developed by the department under s.
564 456.0361 to demonstrate compliance with the continuing education
565 requirements of this section ~~year preceding each such~~
566 ~~application for renewal, the licensee has attended the 2-day~~
567 ~~educational program as promulgated and conducted by the Florida~~
568 ~~Naturopathic Physicians Association, Inc., or, as a substitute~~
569 ~~therefor, the equivalent of that program as approved by the~~
570 ~~department. The department shall send a written notice to this~~
571 ~~effect to every person holding a valid license to practice~~
572 ~~naturopathy within this state at least 30 days prior to May 1 in~~
573 ~~each even-numbered year, directed to the last known address of~~
574 ~~such licensee, and shall enclose with the notice proper blank~~
575 ~~forms for application for annual license renewal. All of the~~

576 ~~details and requirements of the aforesaid educational program~~
577 ~~shall be adopted and prescribed by the department. In the event~~
578 ~~of national emergencies, or for sufficient reason, the~~
579 ~~department shall have the power to excuse the naturopathic~~
580 ~~physicians as a group or as individuals from taking this~~
581 ~~postgraduate course.~~

582 ~~(2) The determination of whether a substitute annual~~
583 ~~educational program is necessary shall be solely within the~~
584 ~~discretion of the department.~~

585 **Section 12. Section 462.19, Florida Statutes, is**
586 **renumbered as section 462.012, Florida Statutes, and amended to**
587 **read:**

588 462.012 ~~462.19~~ ~~Renewal of license;~~ Inactive status;
589 reactivation of license.-

590 (1) A licensee may reactivate an inactive license by
591 applying to the department and submitting proof of compliance
592 with the financial responsibility requirements of s. 462.015.

593 (2) The board shall adopt rules relating to the
594 reactivation of licenses that have become inactive and for the
595 renewal of inactive licenses. The rules must include continuing
596 education requirements as a condition for reactivating a
597 license. The continuing education requirements for reactivating
598 a license may not be fewer than 20 classroom hours for each year
599 the license was inactive.

600 (3) The department may not reactivate a license unless the

601 financial responsibility requirements of s. 462.015 have been
 602 satisfied ~~The department shall renew a license upon receipt of~~
 603 ~~the renewal application and fee.~~

604 ~~(2) A licensee may request that her or his license be~~
 605 ~~placed in an inactive status by making application to the~~
 606 ~~department and paying a fee in an amount set by the department~~
 607 ~~not to exceed \$50.~~

608 **Section 13. Section 462.11, Florida Statutes, is**
 609 **renumbered as section 462.013, Florida Statutes, and amended to**
 610 **read:**

611 462.013 ~~462.11~~ Obligations of naturopathic physicians
 612 Naturopaths to observe regulations. ~~Naturopathic physicians~~
 613 ~~Doctors of naturopathy shall~~ comply with ~~observe~~ and are ~~be~~
 614 subject to all state, county, and municipal regulations relating
 615 in regard to the control of contagious and infectious diseases,
 616 the reporting of births and deaths, and ~~to any and all~~ other
 617 matters pertaining to the public health in the same manner as is
 618 required of other health care practitioners ~~of the healing art.~~

619 **Section 14. Section 462.014, Florida Statutes, is created**
 620 **to read:**

621 462.014 Patient records; termination of practice. ~~The~~
 622 board shall adopt rules providing for the handling of medical
 623 records by licensed naturopathic physicians, including when a
 624 naturopathic physician sells or otherwise terminates a practice.
 625 The rules must provide for notification of the naturopathic

626 physician's patients of the termination of the practice and for
627 an opportunity for the patients to request the transfer of their
628 medical records to another physician or health care practitioner
629 upon payment of actual costs for such transfer.

630 **Section 15. Section 462.015, Florida Statutes, is created**
631 **to read:**

632 462.015 Financial responsibility.—

633 (1) As a condition of licensure, a naturopathic physician
634 must, by one of the following methods, demonstrate to the
635 satisfaction of the board and the department that she or he has
636 the ability to pay claims and ancillary costs arising from the
637 rendering of, or the failure to render, medical care or
638 services:

639 (a) Establishing and maintaining an escrow account
640 consisting of cash or assets eligible for deposit in accordance
641 with s. 625.52 in the per-claim amounts specified in paragraph
642 (b). Expenditures may not be made from the escrow account for
643 litigation costs or attorney fees for the defense of any medical
644 malpractice claim.

645 (b) Obtaining and maintaining professional liability
646 coverage in an amount not less than \$100,000 per claim, with a
647 minimum annual aggregate of not less than \$300,000, from an
648 authorized insurer as defined under s. 624.09, from an eligible
649 surplus lines insurer as defined under s. 626.914(2), from a
650 risk retention group as defined under s. 627.942, from the Joint

651 Underwriting Association operated under s. 627.351(4), or
652 through medical malpractice self-insurance as provided in s.
653 627.357. Expenditures may not be made from the required coverage
654 amount for litigation costs or attorney fees for the defense of
655 any medical malpractice claim.

656 (c) Obtaining and maintaining an unexpired, irrevocable
657 letter of credit, issued pursuant to chapter 675, in an amount
658 not less than \$100,000 per claim, with a minimum aggregate
659 availability of credit of not less than \$300,000. The letter of
660 credit must be payable to the naturopathic physician as
661 beneficiary upon presentment of a final judgment indicating
662 liability and awarding damages to be paid by the naturopathic
663 physician or upon presentment of a settlement agreement signed
664 by all parties to such agreement when such final judgment or
665 settlement is a result of a claim arising out of the rendering
666 of, or the failure to render, medical care or services. The
667 letter of credit may not be used for litigation costs or
668 attorney fees for the defense of any medical malpractice claim.
669 The letter of credit must be nonassignable and nontransferable
670 and be issued by a bank or savings association organized and
671 existing under the laws of this state or a bank or savings
672 association organized under the laws of the United States which
673 has its principal place of business in this state or has a
674 branch office authorized under the laws of this state or of the
675 United States to receive deposits in this state.

676 (2) (a) Meeting the financial responsibility requirements
677 of this section or the criteria for any exemption from such
678 requirements must be demonstrated at the time of issuance,
679 renewal, or reactivation of a naturopathic physician license.

680 (b) Any person may, at any time, submit to the department
681 a request for an advisory opinion regarding such person's
682 qualifications for exemption.

683 (3) (a) Each insurer, self-insurer, or risk retention group
684 or the Joint Underwriting Association must promptly notify the
685 department of a cancellation or nonrenewal of insurance required
686 by this section. Unless the naturopathic physician demonstrates
687 that she or he is otherwise in compliance with the requirements
688 of this section, the department shall suspend the license of the
689 naturopathic physician pursuant to ss. 120.569 and 120.57 and
690 notify all health care facilities licensed under part IV of
691 chapter 394 or chapter 395 or a health maintenance organization
692 certified under part I of chapter 641 of such action. Any
693 suspension imposed under this subsection remains in effect until
694 the naturopathic physician demonstrates compliance with the
695 requirements of this section. If any judgment or settlement is
696 pending at the time of suspension, the judgment or settlement
697 must be paid in accordance with this section unless otherwise
698 mutually agreed to in writing by the parties. This paragraph
699 does not abrogate a judgment debtor's obligation to satisfy the
700 entire amount of any judgment.

701 (b) If the financial responsibility requirements are met
702 by maintaining an escrow account or letter of credit as provided
703 in this section, upon the entry of an adverse final judgment
704 arising from a medical malpractice arbitration award, from a
705 claim in contract or tort of medical malpractice, or from
706 noncompliance with the terms of a settlement agreement arising
707 from a claim in contract or tort of medical malpractice, the
708 naturopathic physician must pay the entire amount of the
709 judgment together with all accrued interest or the amount
710 maintained in the escrow account or provided in the letter of
711 credit as required by this section, whichever is less, within 60
712 days after the date such judgment becomes final and subject to
713 execution, unless otherwise mutually agreed to in writing by the
714 parties. If timely payment is not made by the naturopathic
715 physician, the department must suspend the license of the
716 naturopathic physician pursuant to procedures set forth in
717 subparagraphs (4) (f) 2.-5. This paragraph does not abrogate a
718 judgment debtor's obligation to satisfy the entire amount of any
719 judgment.

720 (4) The requirements imposed in subsection (1) do not
721 apply to:

722 (a) Any person licensed under this chapter who practices
723 naturopathic medicine exclusively as an officer, employee, or
724 agent of the Federal Government or of the state or its agencies
725 or subdivisions. For purposes of this subsection, an agent of

726 the state or its agencies or subdivisions is a person who is
727 eligible for coverage under any self-insurance or insurance
728 program as provided in s. 768.28(16).

729 (b) Any person whose license has become inactive under
730 this chapter and who is not practicing naturopathic medicine in
731 this state. Any person applying for reactivation of a
732 naturopathic physician license must either:

733 1. Demonstrate that she or he maintained tail insurance
734 coverage that provided liability coverage for incidents that
735 occurred on or after the initial date of licensure in this state
736 and for incidents that occurred before the date on which the
737 license became inactive; or

738 2. Submit an affidavit stating that she or he has no
739 unsatisfied medical malpractice judgments or settlements at the
740 time of application for reactivation of the license.

741 (c) Any person licensed under this chapter who practices
742 only in conjunction with her or his teaching duties at a college
743 of naturopathic medicine. Such person may engage in the practice
744 of naturopathic medicine to the extent that such practice is
745 incidental to and a necessary part of duties in connection with
746 the teaching position in the college of naturopathic medicine.

747 (d) Any person holding an active naturopathic physician
748 license under this chapter who is not practicing naturopathic
749 medicine in this state. If such person initiates or resumes any
750 practice of naturopathic medicine in this state, she or he must

751 notify the department of such activity and fulfill the financial
752 responsibility requirements of this section before resuming the
753 practice of naturopathic medicine in this state.

754 (e) Any person holding an active naturopathic physician
755 license under this chapter who meets all of the following
756 criteria:

757 1. Has held an active license to practice naturopathic
758 medicine in this state or another state or some combination
759 thereof for more than 15 years.

760 2. Has either retired from the practice of naturopathic
761 medicine or maintains a part-time practice of naturopathic
762 medicine of no more than 1,000 patient contact hours per year.

763 3. Has had no more than two claims for medical malpractice
764 resulting in an indemnity exceeding \$25,000 within the previous
765 5-year period.

766 4. Has not been convicted of, or pled guilty or nolo
767 contendere to, any criminal violation specified in this chapter
768 or the practice act of any other state.

769 5. Has not been subject, within the last 10 years of
770 practice, to license revocation or suspension for any period of
771 time, probation for a period of 3 years or longer, or a fine of
772 \$500 or more for a violation of this chapter or the naturopathic
773 medical practice act of another jurisdiction. A regulatory
774 agency's acceptance of a naturopathic physician's relinquishment
775 of her or his license or of a stipulation, consent order, or

776 other settlement, offered in response to or in anticipation of
777 the filing of administrative charges against her or his license,
778 constitutes action against the naturopathic physician's license
779 for the purposes of this paragraph.

780 6. Has submitted a form supplying necessary information as
781 required by the department and an affidavit affirming compliance
782 with this paragraph.

783 7. Biennially submits to the department a certification
784 stating compliance with this paragraph. The naturopathic
785 physician must also demonstrate compliance with this paragraph
786 at any time upon department request.

787
788 A naturopathic physician who meets the requirements of this
789 paragraph must provide notice to patients, either by prominently
790 displaying a sign in the reception area of her or his practice
791 in a manner clearly visible to patients or by providing a
792 written statement to each patient to whom she or he provides
793 naturopathic medical services. The sign or statement must read
794 as follows: "Under Florida law, naturopathic physicians are
795 generally required to carry medical malpractice insurance or
796 otherwise demonstrate financial responsibility to cover
797 potential claims for medical malpractice. However, certain part-
798 time naturopathic physicians who meet certain criteria are
799 exempt from the financial responsibility requirements. YOUR
800 NATUROPATHIC PHYSICIAN MEETS THE EXEMPTION CRITERIA AND HAS

801 DECIDED NOT TO CARRY MEDICAL MALPRACTICE INSURANCE. This notice
802 is provided pursuant to Florida law."

803 (f) Any person holding an active naturopathic physician
804 license under this chapter who agrees to all of the following
805 conditions:

806 1. Upon the entry of an adverse final judgment arising
807 from a medical malpractice arbitration award, from a claim of
808 medical malpractice either in contract or tort, or from
809 noncompliance with the terms of a settlement agreement arising
810 from a claim of medical malpractice either in contract or tort,
811 the naturopathic physician agrees to pay the judgment creditor
812 the lesser of the entire amount of the judgment with all accrued
813 interest or either \$100,000, if the naturopathic physician is
814 licensed pursuant to this chapter but does not maintain hospital
815 staff privileges, or \$250,000, if the naturopathic physician is
816 licensed pursuant to this chapter and maintains hospital staff
817 privileges, within 60 days after the date such judgment becomes
818 final and subject to execution, unless otherwise mutually agreed
819 to in writing by the parties. Such adverse final judgment must
820 include any cross-claim, counterclaim, or claim for indemnity or
821 contribution arising from the claim of medical malpractice. Upon
822 notification of the existence of an unsatisfied judgment or
823 payment pursuant to this subparagraph, the department shall
824 notify the naturopathic physician by certified mail that she or
825 he is subject to disciplinary action unless, within 30 days

826 after the date of mailing, the naturopathic physician either:
827 a. Shows proof that the unsatisfied judgment has been paid
828 in the amount specified in this subparagraph; or
829 b. Furnishes the department with a copy of a timely filed
830 notice of appeal and either:
831 (I) A copy of a supersedeas bond properly posted in the
832 amount required by law; or
833 (II) An order from a court of competent jurisdiction
834 staying execution on the final judgment, pending disposition of
835 the appeal.

836 2. The department shall issue an emergency order
837 suspending the license of any naturopathic physician who, 31
838 days or more after receipt of a notice from the department, has
839 failed to satisfy a medical malpractice claim against him or
840 her; furnish the department a copy of a timely filed notice of
841 appeal; furnish the department a copy of a supersedeas bond
842 properly posted in the amount required by law; or furnish the
843 department an order from a court of competent jurisdiction
844 staying execution on the final judgment pending disposition of
845 the appeal.

846 3. Upon the next meeting of the probable cause panel of
847 the board 31 days or more after the date of mailing the notice
848 of disciplinary action to the naturopathic physician, the panel
849 shall determine whether probable cause exists to take
850 disciplinary action against the naturopathic physician for a

851 violation of subparagraph 1.

852 4. If the board determines that the factual requirements
853 of subparagraph 1. are met, it must take disciplinary action as
854 it deems appropriate against the naturopathic physician. Such
855 disciplinary action must include, at a minimum, probation of the
856 license with the restriction that the naturopathic physician
857 must make payments to the judgment creditor on a schedule
858 determined by the board to be reasonable and within the
859 financial capability of the naturopathic physician.

860 Notwithstanding any other disciplinary penalty imposed, the
861 disciplinary penalty may include suspension of the license for a
862 period not to exceed 5 years. In the event that an agreement to
863 satisfy a judgment has been met, the board must remove any
864 restriction on the license.

865 5. The naturopathic physician must complete a form
866 supplying necessary information as required by department rule.

867
868 A naturopathic physician who agrees to the conditions of this
869 paragraph must provide notice to patients, either by prominently
870 displaying a sign in the reception area of her or his practice,
871 in a manner clearly visible to patients, or by providing a
872 written statement to each patient to whom she or he provides
873 naturopathic medical services. The sign or statement must read
874 as follows: "Under Florida law, naturopathic physicians are
875 generally required to carry medical malpractice insurance or

876 otherwise demonstrate financial responsibility to cover
877 potential claims for medical malpractice. However, certain part-
878 time naturopathic physicians who meet certain criteria are
879 exempt from the financial responsibility requirements. YOUR
880 NATUROPATHIC PHYSICIAN MEETS THE EXEMPTION CRITERIA AND HAS
881 DECIDED NOT TO CARRY MEDICAL MALPRACTICE INSURANCE. This notice
882 is provided pursuant to Florida law."

883 (5) A naturopathic physician who makes any deceptive,
884 untrue, or fraudulent representation with respect to any
885 provision of this section is permanently disqualified from any
886 exemption from financial responsibility requirements under this
887 section and is subject to disciplinary action under s. 462.017
888 for such conduct.

889 (6) Any naturopathic physician who relies on an exemption
890 from the financial responsibility requirements must notify the
891 department in writing of any change of circumstance regarding
892 her or his qualifications for such exemption and must
893 demonstrate that she or he is in compliance with the
894 requirements of this section.

895 (7) Notwithstanding any other provision of this section,
896 the department shall suspend the license of any naturopathic
897 physician against whom a final judgment, arbitration award, or
898 other order has been entered or who has entered into a
899 settlement agreement to pay damages arising out of a claim for
900 medical malpractice if all appellate remedies have been

901 exhausted and payment up to the amounts required by this section
 902 has not been made within 30 days after the entering of such
 903 judgment, award, or order or agreement. A suspension under this
 904 subsection remains in effect until proof of payment is received
 905 by the department or a payment schedule has been agreed upon by
 906 the naturopathic physician and the claimant and presented to the
 907 department. This subsection does not apply to a naturopathic
 908 physician who has met the financial responsibility requirements
 909 under paragraph (1) (b) .

910 (8) The board shall adopt rules to implement this section.

911 **Section 16. Section 462.13, Florida Statutes, is**
 912 **renumbered as section 462.016, Florida Statutes, and amended to**
 913 **read:**

914 462.016 ~~462.13~~ Additional powers and duties of the board
 915 and the department.—The board and the department may administer
 916 oaths, summon witnesses, and take testimony in all matters
 917 relating to their respective ~~its~~ duties under ~~pursuant to~~ this
 918 chapter. Evidence of an active, ~~Every~~ unrevoked license must
 919 ~~shall be presumed by presumptive evidence in~~ all courts and
 920 places to be evidence that the person therein named is legally
 921 licensed to practice naturopathic medicine in this state
 922 ~~naturopathy.~~ The board and the department shall aid the
 923 prosecuting attorneys of the state in the enforcement of this
 924 chapter.

925 **Section 17. Section 462.14, Florida Statutes, is**

926 **renumbered as section 462.017, Florida Statutes, and amended to**
927 **read:**

928 462.017 ~~462.14~~ Grounds for disciplinary action; action by
929 the board and department.—

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

932 (a) Attempting to obtain, obtaining, or renewing a license
933 to practice naturopathic medicine by bribery, by fraudulent
934 misrepresentation, or through an error of the board or the
935 department.

936 (b) Having a license to practice naturopathic medicine
937 revoked, suspended, or otherwise acted against, including the
938 denial of licensure, by the licensing authority of another
939 state, territory, or country. The licensing authority's
940 acceptance of a naturopathic physician's relinquishment of her
941 or his license or of a stipulation, a consent order, or other
942 settlement offered in response to or in anticipation of the
943 filing of administrative charges against her or his license
944 shall be construed as action against the naturopathic
945 physician's license.

946 (c) Being convicted or found guilty, regardless of
947 adjudication, of a crime in any jurisdiction which directly
948 relates to the practice of naturopathic medicine or to the
949 ability to practice naturopathic medicine. Any plea of nolo
950 contendere creates a rebuttable presumption of guilt to the

951 underlying criminal charges ~~shall be considered a conviction for~~
 952 ~~purposes of this chapter.~~

953 (d) False, deceptive, or misleading advertising.

954 (e) ~~Advertising, practicing, or attempting to practice~~
 955 ~~under a name other than one's own.~~

956 ~~(f)~~ Failing to report to the department or the
 957 department's impaired practitioner program consultant, as
 958 applicable, any person whom ~~who~~ the licensee knows is in
 959 violation of this chapter or of the rules of the board or
 960 department. However, a person whom ~~who~~ the licensee knows is
 961 unable to practice naturopathic medicine with reasonable skill
 962 and safety to patients by reason of illness or use of alcohol,
 963 drugs, narcotics, chemicals, or any other type of material, or
 964 as a result of a mental or physical condition, may be reported
 965 to a consultant operating an impaired practitioner program as
 966 described in s. 456.076 rather than to the department.

967 (f) ~~(g)~~ Aiding, assisting, procuring, or advising any
 968 unlicensed person to practice naturopathic medicine contrary to
 969 this chapter or to a rule of the board or department.

970 (g) ~~(h)~~ Failing to perform any statutory or legal
 971 obligation placed upon a licensed naturopathic physician.

972 (h) Giving false testimony in the course of any legal or
 973 administrative proceedings relating to the practice of
 974 naturopathic medicine or the delivery of health care services.

975 (i) Making or filing a report which the licensee knows to

976 be false, intentionally or negligently failing to file a report
977 or record required by state or federal law, willfully impeding
978 or obstructing such filing or inducing another person to do so.
979 Such reports or records must ~~shall~~ include only those which are
980 signed in the capacity as a licensed naturopathic physician.

981 (j) Paying or receiving any commission, bonus, kickback,
982 or rebate, or engaging in any split-fee arrangement in any form
983 whatsoever with a physician, an organization, an agency, a ~~or~~
984 person, a partnership, a firm, a corporation, or other business
985 entity, either directly or indirectly, for patients referred to
986 providers of health care goods and services, including, but not
987 limited to, hospitals, nursing homes, clinical laboratories,
988 ambulatory surgical centers, or pharmacies. ~~The provisions of~~
989 This paragraph may ~~shall~~ not be construed to prevent a
990 naturopathic physician from receiving a fee for professional
991 consultation services.

992 (k) Refusing to provide health care based on a patient's
993 participation in pending or past litigation or participation in
994 any disciplinary action conducted pursuant to this chapter,
995 unless such litigation or disciplinary action directly involves
996 the naturopathic physician requested to provide services.

997 (l) Exercising influence within a patient-physician
998 relationship for purposes of engaging a patient in sexual
999 activity. A patient is ~~shall be~~ presumed to be incapable of
1000 giving free, full, and informed consent to sexual activity with

1001 her or his naturopathic physician.

1002 (m)~~(l)~~ Making deceptive, untrue, or fraudulent
 1003 representations in or related to the practice of naturopathic
 1004 medicine or employing a trick or scheme in the practice of
 1005 naturopathic medicine ~~when such scheme or trick fails to conform~~
 1006 ~~to the generally prevailing standards of treatment in the~~
 1007 ~~medical community.~~

1008 (n)~~(m)~~ Soliciting patients, either personally or through
 1009 an agent, through the use of fraud, intimidation, undue
 1010 influence, or a form of overreaching or vexatious conduct. A
 1011 "solicitation" is any communication which directly or implicitly
 1012 requests an immediate oral response from the recipient.

1013 (o)~~(n)~~ Failing to keep legible, written medical records,
 1014 as defined by department rule in consultation with the board,
 1015 which identify by name and professional title the licensed
 1016 naturopathic physician or the supervising naturopathic physician
 1017 who is responsible for rendering, ordering, supervising, or
 1018 billing for each diagnostic or treatment procedure and which
 1019 justify ~~justifying~~ the course of treatment of the patient,
 1020 including, but not limited to, patient histories, examination
 1021 results, test results, X rays, ~~and~~ records of medicine
 1022 prescribed, dispensed, or administered, and reports of
 1023 consultations and hospitalizations ~~the prescribing, dispensing~~
 1024 ~~and administering of drugs.~~

1025 (p) Fraudulently altering or destroying records relating

1026 to patient care or treatment, including, but not limited to,
 1027 patient histories, examination results, test results, X rays,
 1028 records of medicine prescribed, dispensed, or administered, and
 1029 reports of consultations and hospitalizations.

1030 (q)~~(e)~~ Exercising influence on the patient ~~or client~~ in
 1031 such a manner as to exploit the patient ~~or client~~ for the
 1032 financial gain of the licensee or of a third party, which
 1033 includes ~~shall include~~, but is not ~~be~~ limited to, the promoting
 1034 or selling of services, goods, appliances, or medicines. ~~drugs~~
 1035 ~~and the~~

1036 (r) Promoting or advertising on any prescription form of a
 1037 community pharmacy unless the form also states: "This
 1038 prescription may be filled at any pharmacy of your choice."

1039 (s)~~(p)~~ Performing professional services that ~~which~~ have
 1040 not been duly authorized by the patient ~~or client~~, or her or his
 1041 legal representative, except as provided in s. 743.064, s.
 1042 766.103, or s. 768.13.

1043 (t)~~(q)~~ Except as specified in the prescriptive rights
 1044 enumerated in s. 462.003, prescribing, dispensing,
 1045 administering, supplying, selling, giving, mixing, or otherwise
 1046 preparing a legend drug, including any controlled substance,
 1047 other than in the course of the naturopathic physician's
 1048 professional practice. For the purposes of this paragraph, it is
 1049 ~~shall be~~ legally presumed that prescribing, dispensing,
 1050 administering, supplying, selling, giving, mixing, or otherwise

1051 preparing legend drugs, including all controlled substances,
1052 inappropriately or in excessive or inappropriate quantities is
1053 not in the best interest of the patient and is not in the scope
1054 ~~course~~ of the naturopathic physician's professional practice,
1055 regardless of ~~without regard to~~ her or his intent.

1056 (u) ~~(r)~~ Prescribing or ~~or~~ dispensing, ~~or administering~~ any
1057 legend medicinal drug appearing on any schedule set forth in
1058 chapter 893 ~~by the naturopathic physician~~ to herself or himself
1059 or administering any such drug to herself or himself unless such
1060 drug is, except one prescribed for, dispensed, or administered
1061 ~~to~~ the naturopathic physician by another practitioner authorized
1062 to prescribe legend, ~~dispense, or administer medicinal~~ drugs.

1063 (v) ~~(s)~~ Being unable to practice naturopathic medicine with
1064 reasonable skill and safety to patients by reason of illness or
1065 use of alcohol, drugs, narcotics, chemicals, or any other type
1066 of material or as a result of any mental or physical condition.
1067 In enforcing this paragraph, the department ~~shall have~~, upon a
1068 showing of probable cause, has the authority to issue an order
1069 to compel a naturopathic physician to submit to a mental or
1070 physical examination by naturopathic physicians designated by
1071 the department. If the failure of a naturopathic physician
1072 refuses to comply with such order, the department's order
1073 directing submit to such an examination may be enforced by
1074 filing a petition for enforcement in the circuit court where the
1075 naturopathic physician resides or does business. The

1076 naturopathic physician against whom the petition is filed may
1077 not be named or identified by initials in any public court
1078 record or document, and the proceedings must be closed to the
1079 public. The department is entitled to the summary procedure
1080 provided in s. 51.011 ~~when so directed shall constitute an~~
1081 ~~admission of the allegations against her or him upon which a~~
1082 ~~default and final order may be entered without the taking of~~
1083 ~~testimony or presentation of evidence, unless the failure was~~
1084 ~~due to circumstances beyond the naturopathic physician's~~
1085 ~~control.~~ A naturopathic physician subject to an order issued
1086 affected under this paragraph must, shall at reasonable
1087 intervals, be afforded an opportunity to demonstrate that she or
1088 he can resume the competent practice of naturopathic medicine
1089 with reasonable skill and safety to patients. In any proceeding
1090 under this paragraph, neither the record of proceedings nor the
1091 orders entered by the department may be used against a
1092 naturopathic physician in any other proceeding.

1093 (w) Notwithstanding s. 456.072(2) but as specified in s.
1094 456.50(2):

1095 1. Committing medical malpractice as defined in s. 456.50.
1096 The board shall give great weight to s. 766.102 when enforcing
1097 this paragraph. Medical malpractice may not be construed to
1098 require more than one instance, event, or act.

1099 2. Committing gross medical malpractice.

1100 3. Committing repeated medical malpractice as defined in

1101 s. 456.50. A person found by the board to have committed such
1102 repeated malpractice may not be licensed or continue to be
1103 licensed to provide health care services as a naturopathic
1104 physician in this state.

1105
1106 This paragraph may not be construed to require that a
1107 naturopathic physician be deemed incompetent to practice
1108 naturopathic medicine in order to be disciplined pursuant to
1109 this paragraph. A recommended order by an administrative law
1110 judge or a final order of the board finding a violation under
1111 this paragraph must specify whether the naturopathic physician
1112 was found to have committed gross medical malpractice, repeated
1113 medical malpractice, or medical malpractice, or any combination
1114 thereof, and any publication by the board must include the
1115 specified finding.

1116 ~~(t) Gross or repeated malpractice or the failure to~~
1117 ~~practice naturopathic medicine with that level of care, skill,~~
1118 ~~and treatment which is recognized by a reasonably prudent~~
1119 ~~similar physician as being acceptable under similar conditions~~
1120 ~~and circumstances. The department shall give great weight to the~~
1121 ~~provisions of s. 766.102 when enforcing this paragraph.~~

1122 (x) ~~(u)~~ Performing any procedure or prescribing any therapy
1123 that ~~which~~, by the prevailing standards of medical practice in
1124 the naturopathic medical community, constitutes experimentation
1125 on a human subject, without first obtaining full, informed, and

1126 written consent.

1127 (y)~~(v)~~ Practicing or offering to practice beyond the scope
1128 permitted by law or accepting and performing professional
1129 responsibilities that ~~which~~ the licensee knows or has reason to
1130 know ~~that~~ she or he is not competent to perform. The board may
1131 establish by rule standards of practice and standards of care
1132 for particular practice areas, including, but not limited to,
1133 education and training, equipment and supplies, medications as
1134 specified in the prescriptive rights enumerated in s. 462.003,
1135 assistance from and delegation to other personnel, transfer
1136 agreements, sterilization, records, performance of complex or
1137 multiple procedures, informed consent, and policy and procedure
1138 manuals.

1139 (z)~~(w)~~ Delegating professional responsibilities to a
1140 person when the licensee delegating such responsibilities knows
1141 or has reason to know that such person is not qualified by
1142 training, experience, or licensure to perform them.

1143 (aa)~~(x)~~ Violating a lawful order of the board or the
1144 department which was previously entered in a disciplinary
1145 hearing or failing to comply with a lawfully issued subpoena of
1146 the board or department.

1147 (bb)~~(y)~~ Conspiring with another licensee or with any other
1148 person to commit an act, or committing an act, which would tend
1149 to coerce, intimidate, or preclude another licensee from
1150 lawfully advertising her or his services.

1151 (cc)~~(z)~~ Procuring, or aiding or abetting in the procuring
1152 of, an unlawful termination of pregnancy.

1153 (dd)~~(aa)~~ Presigning blank prescription forms.

1154 (ee) Failing to supervise adequately the activities of any
1155 persons acting under the supervision of the naturopathic
1156 physician.

1157 ~~(bb) Prescribing by the naturopathic physician for office~~
1158 ~~use any medicinal drug appearing on Schedule II in chapter 893.~~

1159 ~~(cc) Prescribing, ordering, dispensing, administering,~~
1160 ~~supplying, selling, or giving any drug which is an amphetamine~~
1161 ~~or sympathomimetic amine drug, or a compound designated pursuant~~
1162 ~~to chapter 893 as a Schedule II controlled substance to or for~~
1163 ~~any person except for:~~

1164 1. ~~The treatment of narcolepsy; hyperkinesis; behavioral~~
1165 ~~syndrome in children characterized by the developmentally~~
1166 ~~inappropriate symptoms of moderate to severe distractability,~~
1167 ~~short attention span, hyperactivity, emotional lability, and~~
1168 ~~impulsivity; or drug-induced brain dysfunction.~~

1169 2. ~~The differential diagnostic psychiatric evaluation of~~
1170 ~~depression or the treatment of depression shown to be refractory~~
1171 ~~to other therapeutic modalities.~~

1172 3. ~~The clinical investigation of the effects of such drugs~~
1173 ~~or compounds when an investigative protocol therefor is~~
1174 ~~submitted to, reviewed, and approved by the department before~~
1175 ~~such investigation is begun.~~

1176 (ff)~~(dd)~~ Prescribing, ordering, dispensing, administering,
 1177 supplying, selling, or giving growth hormones, testosterone or
 1178 its analogs, human chorionic gonadotropin (HCG), or other
 1179 hormones for the purpose of muscle building or to enhance
 1180 athletic performance. For the purposes of this subsection, the
 1181 term "muscle building" does not include the treatment of injured
 1182 muscle. A prescription written for the drug products identified
 1183 in this paragraph ~~listed above~~ may be dispensed by the
 1184 pharmacist with the presumption that the prescription is for
 1185 legitimate medical use.

1186 (gg) Misrepresenting or concealing a material fact at any
 1187 time during any phase of a licensing or disciplinary process or
 1188 procedure.

1189 (hh) Interfering with an investigation or with any
 1190 disciplinary proceeding.

1191 (ii) Failing to report to the department any person
 1192 licensed under chapter 458, chapter 459, or this chapter whom
 1193 the naturopathic physician knows has violated the grounds for
 1194 disciplinary action set out in the law under which that person
 1195 is licensed and who provides health care services in a facility
 1196 licensed under chapter 395, or a health maintenance organization
 1197 certificated under part I of chapter 641, in which the
 1198 naturopathic physician also provides services.

1199 (jj) Being found by any court in this state to have
 1200 provided, without reasonable investigation, corroborating

1201 written medical expert opinion attached to any statutorily
 1202 required notice of claim or intent or to any statutorily
 1203 required response rejecting a claim.

1204 (kk) Except as provided in s. 462.018, advertising or
 1205 holding oneself out as a board-certified specialist in violation
 1206 of this chapter.

1207 (ll) Failing to comply with the requirements of ss.
 1208 381.026 and 381.0261 to provide patients with information about
 1209 their patient rights and how to file a patient complaint.

1210 (mm) ~~(ee)~~ Violating any provision of this chapter or
 1211 chapter 456, or any rule ~~rules~~ adopted pursuant thereto.

1212 (nn) Providing deceptive or fraudulent expert witness
 1213 testimony related to the practice of naturopathic medicine.

1214 (oo) Promoting or advertising through any communication
 1215 medium the use, sale, or dispensing of any controlled substance
 1216 appearing on any schedule in chapter 893.

1217 (pp) Willfully failing to comply with s. 627.64194 or s.
 1218 641.513 with such frequency as to indicate a general business
 1219 practice.

1220 (2) The board ~~department~~ may enter an order denying
 1221 licensure or imposing any of the penalties in s. 456.072(2)
 1222 against any applicant for licensure or licensee who is found
 1223 guilty of violating any provision of subsection (1) of this
 1224 section or who is found guilty of violating any provision of s.
 1225 456.072(1). In determining what action is appropriate, the board

1226 must first consider which sanctions are necessary to protect the
1227 public or to compensate the patient. Only after those sanctions
1228 have been imposed may the board consider and include in the
1229 order other requirements designed to rehabilitate the
1230 naturopathic physician. All costs associated with compliance
1231 with orders issued under this subsection are the obligation of
1232 the naturopathic physician.

1233 (3) In any administrative action against a naturopathic
1234 physician which does not involve a revocation or suspension of
1235 license, the division has the burden, by the greater weight of
1236 the evidence, to establish the existence of grounds for
1237 disciplinary action. The division shall establish grounds for
1238 revocation or suspension of license by clear and convincing
1239 evidence.

1240 (4) The board may ~~department shall~~ not reinstate the
1241 license of a naturopathic physician or cause a license to be
1242 issued to a person it has deemed unqualified until such time as
1243 it ~~the department~~ is satisfied that such person has complied
1244 with all the terms and conditions set forth in the final order
1245 and that such person is capable of safely engaging in the
1246 practice of naturopathic medicine. However, the board may not
1247 issue a license to, or reinstate the license of, any person
1248 found by the board to have committed repeated medical
1249 malpractice as defined in s. 456.50, regardless of the extent to
1250 which the licensed naturopathic physician or prospective

1251 licensed naturopathic physician has complied with all terms and
1252 conditions set forth in the final order or whether she or he is
1253 capable of safely engaging in the practice of naturopathic
1254 medicine.

1255 (5)(4) The board department shall establish by rule
1256 establish guidelines for the disposition of disciplinary cases
1257 involving specific types of violations. Such guidelines must
1258 establish offenses and circumstances for which revocation will
1259 be presumed to be appropriate, as well as offenses and
1260 circumstances for which suspension for particular periods of
1261 time will be presumed to be appropriate. The guidelines must
1262 also may include minimum and maximum fines, periods of
1263 supervision or probation, ~~or~~ conditions of probation, and
1264 conditions for ~~or~~ reissuance of a license with respect to
1265 particular circumstances and offenses. Gross medical
1266 malpractice, repeated medical malpractice, and medical
1267 malpractice, respectively, as specified in paragraph (1)(w),
1268 must each be considered a distinct violation requiring specific
1269 individual guidelines.

1270 (6) Upon the department's receipt of a closed claim
1271 against a naturopathic physician submitted by an insurer or a
1272 self-insurer pursuant to s. 627.912 or information reported to
1273 the Office of Insurance Regulation by a health care practitioner
1274 pursuant to s. 456.049, or receipt from a claimant of presuit
1275 notice against a naturopathic physician under s. 766.106, the

1276 department shall review such information and determine whether
1277 it potentially involves conduct by a licensed naturopathic
1278 physician which is subject to disciplinary action, in which case
1279 s. 456.073 applies. However, if the department receives
1280 information that a naturopathic physician has had three or more
1281 claims filed against her or him, each with indemnities exceeding
1282 \$50,000, within the previous 5-year period, the department must
1283 investigate the occurrences upon which the claims were based and
1284 determine whether action by the department against the
1285 naturopathic physician is warranted.

1286 (7) Upon the department's receipt of an incident report
1287 from the Agency for Health Care Administration pursuant to s.
1288 395.0197 related to a naturopathic physician whose conduct may
1289 constitute grounds for disciplinary action, the department shall
1290 investigate the occurrences upon which the incident report was
1291 based and determine whether action by the department against the
1292 naturopathic physician is warranted.

1293 (8) If any naturopathic physician commits such
1294 unprofessional conduct or negligence or demonstrates mental or
1295 physical incapacity or impairment such that the department
1296 determines that she or he is unable to practice with reasonable
1297 skill and safety and presents a danger to patients, the
1298 department may bring an action in circuit court enjoining such
1299 naturopathic physician from providing medical services to the
1300 public until the naturopathic physician demonstrates the ability

1301 to practice with reasonable skill and safety and without danger
1302 to patients.

1303 (9) (a) If an investigation of a naturopathic physician is
1304 undertaken, the department must promptly furnish to the
1305 naturopathic physician or her or his attorney a copy of the
1306 complaint or document that prompted initiation of the
1307 investigation. For purposes of this subsection, such documents
1308 include, but are not limited to:

1309 1. The pertinent portions of an annual report submitted by
1310 a licensed facility to the Agency for Health Care Administration
1311 pursuant to s. 395.0197(6).

1312 2. A report of an adverse incident which is provided by a
1313 licensed facility to the department pursuant to s. 395.0197.

1314 3. A report of peer review disciplinary action submitted
1315 to the department pursuant to s. 395.0193(4), provided that the
1316 investigations, proceedings, and records relating to such peer
1317 review disciplinary action continue to retain their privileged
1318 status even as to the naturopathic physician who is the subject
1319 of the investigation, as provided by s. 395.0193(8).

1320 4. A closed claim report submitted pursuant to s. 627.912.

1321 5. A presuit notice submitted pursuant to s. 766.106(2).

1322 6. A petition brought under the Florida Birth-Related
1323 Neurological Injury Compensation Plan pursuant to s. 766.305.

1324 (b) A naturopathic physician may submit to the department
1325 a written response to the information contained in the complaint

1326 or document that prompted the initiation of the investigation
 1327 within 45 days after she or he receives service of such
 1328 complaint or document. The naturopathic physician's written
 1329 response must be considered by the probable cause panel, if held
 1330 on the matter.

1331 **Section 18. Section 462.018, Florida Statutes, is created**
 1332 **to read:**

1333 462.018 Specialties.—A naturopathic physician licensed
 1334 under this chapter may not hold himself or herself out as a
 1335 board-certified specialist unless the naturopathic physician has
 1336 successfully completed the requirements for certification as set
 1337 forth by the board regulating such specialty. A naturopathic
 1338 physician may indicate the services offered and may state that
 1339 her or his practice is limited to one or more types of service
 1340 if it accurately reflects the scope of practice of the
 1341 naturopathic physician.

1342 **Section 19. Section 462.17, Florida Statutes, is**
 1343 **renumbered as section 462.019, Florida Statutes, and amended to**
 1344 **read:**

1345 462.019 ~~462.17~~ Penalty for offenses relating to
 1346 naturopathy. ~~Any person who shall:~~

1347 (1) Each of the following acts constitutes a felony of the
 1348 third degree, punishable as provided in s. 775.082, s. 775.083,
 1349 or s. 775.084:

1350 (a) Practicing, or attempting to practice, naturopathic

1351 medicine without an active license issued under this chapter.

1352 (b) A licensed naturopathic physician practicing beyond
 1353 the scope of practice authorized under this chapter.

1354 (c) Obtaining, or attempting to obtain, a license to
 1355 practice naturopathic medicine by a knowing misrepresentation.

1356 (d) Obtaining, or attempting to obtain, a position as a
 1357 naturopathic physician or naturopathic medical resident in a
 1358 clinic or hospital by knowingly misrepresenting education,
 1359 training, or experience.

1360 (e) Dispensing a controlled substance listed in Schedule
 1361 II or Schedule III of s. 893.03 in violation of s. 465.0276.

1362 (2) Each of the following acts constitutes a misdemeanor
 1363 of the first degree, punishable as provided in s. 775.082 or s.
 1364 775.083:

1365 (a) Knowingly concealing information relating to
 1366 violations of this chapter.

1367 (b) Making a false oath or affirmation when an oath or
 1368 affirmation is required by this chapter.

1369 (3) Each of the following constitutes a misdemeanor of the
 1370 second degree, punishable as provided in s. 775.082 or s.
 1371 775.083:

1372 (a) Fraudulently altering, defacing, or falsifying any
 1373 record relating to patient care or treatment, including, but not
 1374 limited to, patient histories, examination results, and test
 1375 results.

1376 (b) Referring any patient for health care goods or
1377 services to any partnership, firm, corporation, or other
1378 business entity in which the naturopathic physician or the
1379 naturopathic physician's employer has an equity interest of 10
1380 percent or more, unless, before such referral, the naturopathic
1381 physician notifies the patient of her or his financial interest
1382 and of the patient's right to obtain such goods or services at
1383 the location of the patient's choice. This paragraph does not
1384 apply to the following types of equity interest:

1385 1. The ownership of registered securities issued by a
1386 publicly held corporation or the ownership of securities issued
1387 by a publicly held corporation, the shares of which are traded
1388 on a national exchange or the over-the-counter market.

1389 2. A naturopathic physician's own practice, whether the
1390 naturopathic physician is a sole practitioner or part of a
1391 group, when the health care good or service is prescribed or
1392 provided solely for the naturopathic physician's own patients
1393 and is provided or performed by the naturopathic physician or
1394 under the naturopathic physician's supervision.

1395 3. An interest in real property resulting in a landlord-
1396 tenant relationship between the naturopathic physician and the
1397 entity in which the equity interest is held, unless the rent is
1398 determined, in whole or in part, by the business volume or
1399 profitability of the tenant or is otherwise unrelated to fair
1400 market value.

1401 (c) Paying or receiving any commission, bonus, kickback,
 1402 or rebate or engaging in any split-fee arrangement in any form
 1403 with a physician, an organization, an agency, a person, a
 1404 partnership, a firm, a corporation, or other business entity for
 1405 patients referred to providers of health care goods and
 1406 services, including, but not limited to, hospitals, nursing
 1407 homes, clinical laboratories, ambulatory surgical centers, or
 1408 pharmacies. This paragraph may not be construed to prevent a
 1409 naturopathic physician from receiving a fee for professional
 1410 consultation services ~~Sell, fraudulently obtain, or furnish any~~
 1411 ~~naturopathic diploma, license, record, or registration or aid or~~
 1412 ~~abet in the same;~~

1413 ~~(2) Practice naturopathy under the cover of any diploma,~~
 1414 ~~license, record, or registration illegally or fraudulently~~
 1415 ~~obtained or secured or issued unlawfully or upon fraudulent~~
 1416 ~~representations;~~

1417 ~~(3) Advertise to practice naturopathy under a name other~~
 1418 ~~than her or his own or under an assumed name;~~

1419 ~~(4) Falsely impersonate another practitioner of a like or~~
 1420 ~~different name;~~

1421 ~~(5) Practice or advertise to practice naturopathy or use~~
 1422 ~~in connection with her or his name any designation tending to~~
 1423 ~~imply or to designate the person as a practitioner of~~
 1424 ~~naturopathy without then being lawfully licensed and authorized~~
 1425 ~~to practice naturopathy in this state; or~~

1426 ~~(6) Practice naturopathy during the time her or his~~
1427 ~~license is suspended or revoked~~

1428
1429 ~~shall be guilty of a felony of the third degree, punishable as~~
1430 ~~provided in s. 775.082, s. 775.083, or s. 775.084.~~

1431 **Section 20. Section 462.024, Florida Statutes, is created**
1432 **to read:**

1433 462.024 Disclosure of medications by patients.-

1434 (1) A patient who takes legend drugs included in the
1435 prescriptive rights enumerated in s. 462.003 or nutrients or
1436 other natural medicinal substances upon the recommendation of
1437 her or his treating naturopathic physician is responsible for
1438 advising any other treating health care practitioner of her or
1439 his use of such legend drugs, nutrients, or other natural
1440 medicinal substances.

1441 (2) Naturopathic physicians shall advise their patients of
1442 this requirement in writing, maintain a signed copy of a
1443 patient's disclosure in the patient's medical records, and
1444 provide a copy of the disclosure to their patients, upon
1445 request.

1446 (3) A patient's failure to disclose her or his use of
1447 prescribed legend drugs or recommended nutrients or other
1448 natural medicinal substances to any other treating health care
1449 practitioner creates a rebuttable presumption that any
1450 subsequent related injury sustained by the patient was caused by

1451 the patient's failure to disclose such information. This
1452 presumption may be rebutted by clear and convincing evidence
1453 that the patient's injury was caused by the negligence of the
1454 other treating health care practitioner.

1455 (4) This section may not be construed to preclude a
1456 patient of a naturopathic physician from consulting with a
1457 medical physician, an osteopathic physician, or other health
1458 care practitioner.

1459 (5) A naturopathic physician is not required to confirm a
1460 patient's consultation with, or disclosure to, any other health
1461 care practitioner.

1462 **Section 21. Section 462.025, Florida Statutes, is created**
1463 **to read:**

1464 462.025 Severability.—The provisions of this chapter are
1465 severable. If any provision of this chapter or its application
1466 is held invalid or unconstitutional by any court of competent
1467 jurisdiction, that invalidity or unconstitutionality does not
1468 affect other provisions or applications of this chapter which
1469 can be given effect without the invalid or unconstitutional
1470 provision or application.

1471 **Section 22. Section 462.09, Florida Statutes, is**
1472 **renumbered as section 462.026, Florida Statutes.**

1473 **Section 23. Section 462.16, Florida Statutes, is repealed.**

1474 **Section 24. Section 462.2001, Florida Statutes, is**
1475 **repealed.**

Section 25. Paragraph (g) of subsection (3) of section 20.43, Florida Statutes, is amended to read:

20.43 Department of Health.—There is created a Department of Health.

(3) The following divisions of the Department of Health are established:

(g) Division of Medical Quality Assurance, which is responsible for the following boards and professions established within the division:

1. The Board of Acupuncture, created under chapter 457.
2. The Board of Medicine, created under chapter 458.
3. The Board of Osteopathic Medicine, created under chapter 459.
4. The Board of Chiropractic Medicine, created under chapter 460.
5. The Board of Podiatric Medicine, created under chapter 461.
6. Naturopathic Medicine ~~Naturopathy~~, as provided under chapter 462.
7. The Board of Optometry, created under chapter 463.
8. The Board of Nursing, created under part I of chapter 464.
9. Nursing assistants, as provided under part II of chapter 464.
10. The Board of Pharmacy, created under chapter 465.

- 1501 11. The Board of Dentistry, created under chapter 466.
 1502 12. Midwifery, as provided under chapter 467.
 1503 13. The Board of Speech-Language Pathology and Audiology,
 1504 created under part I of chapter 468.
 1505 14. The Board of Nursing Home Administrators, created
 1506 under part II of chapter 468.
 1507 15. The Board of Occupational Therapy, created under part
 1508 III of chapter 468.
 1509 16. Respiratory therapy, as provided under part V of
 1510 chapter 468.
 1511 17. Dietetics and nutrition practice, as provided under
 1512 part X of chapter 468.
 1513 18. The Board of Athletic Training, created under part
 1514 XIII of chapter 468.
 1515 19. The Board of Orthotists and Prosthetists, created
 1516 under part XIV of chapter 468.
 1517 20. Electrolysis, as provided under chapter 478.
 1518 21. The Board of Massage Therapy, created under chapter
 1519 480.
 1520 22. The Board of Clinical Laboratory Personnel, created
 1521 under part I of chapter 483.
 1522 23. Medical physicists, as provided under part II of
 1523 chapter 483.
 1524 24. The Board of Opticianry, created under part I of
 1525 chapter 484.

1526 25. The Board of Hearing Aid Specialists, created under
1527 part II of chapter 484.

1528 26. The Board of Physical Therapy Practice, created under
1529 chapter 486.

1530 27. The Board of Psychology, created under chapter 490.

1531 28. School psychologists, as provided under chapter 490.

1532 29. The Board of Clinical Social Work, Marriage and Family
1533 Therapy, and Mental Health Counseling, created under chapter
1534 491.

1535 30. Emergency medical technicians and paramedics, as
1536 provided under part III of chapter 401.

1537 **Section 26. Subsection (2) of section 381.0031, Florida**
1538 **Statutes, is amended to read:**

1539 381.0031 Epidemiological research; report of diseases of
1540 public health significance to department.—

1541 (2) Any practitioner licensed in this state to practice
1542 medicine, osteopathic medicine, chiropractic medicine,
1543 naturopathic medicine ~~naturopathy~~, or veterinary medicine; any
1544 licensed pharmacist authorized under a protocol with a
1545 supervising physician under s. 465.1895, or a collaborative
1546 pharmacy practice agreement, as defined in s. 465.1865, to
1547 perform or order and evaluate laboratory and clinical tests; any
1548 hospital licensed under part I of chapter 395; or any laboratory
1549 appropriately certified by the Centers for Medicare and Medicaid
1550 Services under the federal Clinical Laboratory Improvement

1551 Amendments and the federal rules adopted thereunder which
 1552 diagnoses or suspects the existence of a disease of public
 1553 health significance shall immediately report the fact to the
 1554 Department of Health.

1555 **Section 27. Subsection (11) of section 468.301, Florida**
 1556 **Statutes, is amended to read:**

1557 468.301 Definitions.—As used in this part, the term:

1558 (11) "Licensed practitioner" means a person who is
 1559 licensed or otherwise authorized by law to practice medicine,
 1560 podiatric medicine, chiropody, osteopathic medicine,
 1561 naturopathic medicine ~~naturopathy~~, or chiropractic medicine in
 1562 this state.

1563 **Section 28. Subsection (1) of section 476.044, Florida**
 1564 **Statutes, is amended to read:**

1565 476.044 Exemptions.—This chapter does not apply to the
 1566 following persons when practicing pursuant to their professional
 1567 responsibilities and duties:

1568 (1) Persons authorized under the laws of this state to
 1569 practice medicine, surgery, osteopathic medicine, chiropractic
 1570 medicine, naturopathic medicine ~~naturopathy~~, or podiatric
 1571 medicine;

1572 **Section 29. Paragraph (a) of subsection (1) of section**
 1573 **477.0135, Florida Statutes, is amended to read:**

1574 477.0135 Exemptions.—

1575 (1) This chapter does not apply to the following persons

1576 when practicing pursuant to their professional or occupational
 1577 responsibilities and duties:

1578 (a) Persons authorized under the laws of this state to
 1579 practice medicine, surgery, osteopathic medicine, chiropractic
 1580 medicine, massage therapy, naturopathic medicine ~~naturopathy~~, or
 1581 podiatric medicine.

1582 **Section 30. Subsections (2) and (3) of section 485.003,**
 1583 **Florida Statutes, are amended to read:**

1584 485.003 Definitions.—In construing this chapter, the
 1585 words, phrases, or terms, unless the context otherwise
 1586 indicates, shall have the following meanings:

1587 (2) "Healing arts" shall mean the practice of medicine,
 1588 surgery, psychiatry, dentistry, osteopathic medicine,
 1589 chiropractic medicine, naturopathic medicine ~~naturopathy~~,
 1590 podiatric medicine, chiropody, psychology, clinical social work,
 1591 marriage and family therapy, mental health counseling, and
 1592 optometry.

1593 (3) "Practitioner of the healing arts" shall mean a person
 1594 licensed under the laws of the state to practice medicine,
 1595 surgery, psychiatry, dentistry, osteopathic medicine,
 1596 chiropractic medicine, naturopathic medicine ~~naturopathy~~,
 1597 podiatric medicine, chiropody, psychology, clinical social work,
 1598 marriage and family therapy, mental health counseling, or
 1599 optometry within the scope of his or her professional training
 1600 and competence and within the purview of the statutes applicable

1601 to his or her respective profession, and who may refer a patient
 1602 for treatment by a qualified person, who shall employ hypnotic
 1603 techniques under the supervision, direction, prescription, and
 1604 responsibility of such referring practitioner.

1605 **Section 31. Subsection (1) of section 486.161, Florida**
 1606 **Statutes, is amended to read:**

1607 486.161 Exemptions.—

1608 (1) No provision of this chapter shall be construed to
 1609 prohibit any person licensed in this state from using any
 1610 physical agent as a part of, or incidental to, the lawful
 1611 practice of her or his profession under the statutes applicable
 1612 to the profession of chiropractic physician, podiatric
 1613 physician, doctor of medicine, massage therapist, nurse,
 1614 osteopathic physician or surgeon, occupational therapist, or
 1615 naturopathic physician ~~naturopath~~.

1616 **Section 32. Paragraph (h) of subsection (4) of section**
 1617 **627.351, Florida Statutes, is amended to read:**

1618 627.351 Insurance risk apportionment plans.—

1619 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION
 1620 CONTRACTS AND PURCHASES.—

1621 (h) As used in this subsection:

1622 1. "Health care provider" means hospitals licensed under
 1623 chapter 395; physicians licensed under chapter 458; osteopathic
 1624 physicians licensed under chapter 459; podiatric physicians
 1625 licensed under chapter 461; dentists licensed under chapter 466;

1626 chiropractic physicians licensed under chapter 460; naturopathic
 1627 physicians ~~naturopaths~~ licensed under chapter 462; nurses
 1628 licensed under part I of chapter 464; midwives licensed under
 1629 chapter 467; physician assistants licensed under chapter 458 or
 1630 chapter 459; physical therapists and physical therapist
 1631 assistants licensed under chapter 486; health maintenance
 1632 organizations certificated under part I of chapter 641;
 1633 ambulatory surgical centers licensed under chapter 395; other
 1634 medical facilities as defined in subparagraph 2.; blood banks,
 1635 plasma centers, industrial clinics, and renal dialysis
 1636 facilities; or professional associations, partnerships,
 1637 corporations, joint ventures, or other associations for
 1638 professional activity by health care providers.

1639 2. "Other medical facility" means a facility the primary
 1640 purpose of which is to provide human medical diagnostic services
 1641 or a facility providing nonsurgical human medical treatment, to
 1642 which facility the patient is admitted and from which facility
 1643 the patient is discharged within the same working day, and which
 1644 facility is not part of a hospital. However, a facility existing
 1645 for the primary purpose of performing terminations of pregnancy
 1646 or an office maintained by a physician or dentist for the
 1647 practice of medicine may not be construed to be an "other
 1648 medical facility."

1649 3. "Health care facility" means any hospital licensed
 1650 under chapter 395, health maintenance organization certificated

1651 under part I of chapter 641, ambulatory surgical center licensed
 1652 under chapter 395, or other medical facility as defined in
 1653 subparagraph 2.

1654 **Section 33. Subsection (23) of section 893.02, Florida**
 1655 **Statutes, is amended to read:**

1656 893.02 Definitions.—The following words and phrases as
 1657 used in this chapter shall have the following meanings, unless
 1658 the context otherwise requires:

1659 (23) "Practitioner" means a physician licensed under
 1660 chapter 458, a dentist licensed under chapter 466, a
 1661 veterinarian licensed under chapter 474, an osteopathic
 1662 physician licensed under chapter 459, an advanced practice
 1663 registered nurse licensed under chapter 464, a naturopathic
 1664 physician ~~naturopath~~ licensed under chapter 462, a certified
 1665 optometrist licensed under chapter 463, a psychiatric nurse as
 1666 defined in s. 394.455, a podiatric physician licensed under
 1667 chapter 461, or a physician assistant licensed under chapter 458
 1668 or chapter 459, provided such practitioner holds a valid federal
 1669 controlled substance registry number.

1670 **Section 34. Paragraph (g) of subsection (3) of section**
 1671 **921.0022, Florida Statutes, is amended to read:**

1672 921.0022 Criminal Punishment Code; offense severity
 1673 ranking chart.—

1674 (3) OFFENSE SEVERITY RANKING CHART
 1675 (g) LEVEL 7

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1676	Florida	Felony	
	Statute	Degree	Description
1677	316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
1678	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
1679	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.
1680	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
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1682	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1683	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1684	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1685	456.065 (2)	3rd	Practicing a health care profession without a license.
1686	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1686	458.327 (1)	3rd	Practicing medicine without a license.

1687	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1688	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1689	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1690	<u>462.019</u> 462.17	3rd	Practicing <u>naturopathic medicine</u> naturopathy without a license.
1691	463.015 (1)	3rd	Practicing optometry without a license.
1692	464.016 (1)	3rd	Practicing nursing without a license.
1693	465.015 (2)	3rd	Practicing pharmacy without a license.

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1694	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1695	467.201	3rd	Practicing midwifery without a license.
1696	468.366	3rd	Delivering respiratory care services without a license.
1697	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1698	483.901 (7)	3rd	Practicing medical physics without a license.
1699	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1700	484.053	3rd	Dispensing hearing aids without a license.

1701	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.
1702	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.
1703	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1704	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial

1705			institution.
	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1706			
	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1707			
	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1708			
	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1709			
	782.07 (1)	2nd	Killing of a human being

1710	782.071	2nd	by the act, procurement, or culpable negligence of another (manslaughter). Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1711	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1712	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1713	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1714	784.045 (1) (b)	2nd	Aggravated battery;

1715			perpetrator aware victim pregnant.
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1716			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1717			
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1718			
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1719			
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1720			
	784.081 (1)	1st	Aggravated battery on specified official or employee.
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1722	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1723	784.083 (1)	1st	Aggravated battery on code inspector.
1724	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1725	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.
1726	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).
	790.16 (1)	1st	Discharge of a machine gun under specified

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1727			circumstances.
	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1728			
	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1729			
	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1730			
	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1731			
	790.23	1st, PBL	Possession of a firearm by

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1732	794.08 (4)	3rd	a person who qualifies for the penalty enhancements provided for in s. 874.04. Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1733	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1734	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1735	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1736	800.04 (5) (c) 2.	2nd	Lewd or lascivious

1737	800.04 (5) (e)	1st	molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
1738	806.01 (2)	2nd	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.
1739	810.02 (3) (a)	2nd	Maliciously damage structure by fire or explosive.
1740	810.02 (3) (b)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
			Burglary of unoccupied dwelling; unarmed; no assault or battery.

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1741	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1742	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1743	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.
1744	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1745	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.

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1746	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1747	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014 (2) (c) 5.
1748	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1749	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1750	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1751	812.133 (2) (b)	1st	Carjacking; no firearm,

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			deadly weapon, or other weapon.
1752	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1753	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1754	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1755	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1756	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

1757	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
1758	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
1759	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1760	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1761	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

1762	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.
1763	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1764	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1765	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1766	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture,

1767			etc., which includes child pornography.
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1768			
	838.015	2nd	Bribery.
1769			
	838.016	2nd	Unlawful compensation or reward for official behavior.
1770			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1771			
	838.22	2nd	Bid tampering.
1772			
	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1773			
	843.0855 (3)	3rd	Unlawful simulation of legal process.
1774			

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1775	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1776	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1777	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1778	872.06	2nd	Abuse of a dead human body.
1779	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related

1780

893.13(1)(c)1.

1st

activity.

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.

1781

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.

1782	893.13 (4) (a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1783	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1784	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1785	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1786	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1787	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
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1789	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1790	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1791	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
1792	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
1793	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
1794	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.

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1795	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1796	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1797	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4- Butanediol, 1 kilogram or more, less than 5 kilograms.
1798	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1799	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or

1800	893.135 (1) (n) 2.a.	1st	more, less than 1,000 grams. Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
1801	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1802	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1803	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1804			

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1805	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1806	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1807	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1808	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1808	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification;

1809			providing false registration information.
	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1810			
	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1811			
	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1812			
	944.607 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1813			
	985.4815 (10)	3rd	Sexual offender; failure

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1814	985.4815(12)	3rd	to submit to the taking of a digitized photograph.
1815	985.4815(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1816			
1817			

Section 35. This act shall take effect December 31, 2025.