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1                   A bill to be entitled  
2     An act relating to medical freedom; providing a short  
3     title; repealing s. 9 of chapter 2023-43, Laws of  
4     Florida, as amended by chapter 2025-114, Laws of  
5     Florida, relating to the future repeal of the  
6     definition of the term "messenger ribonucleic acid  
7     vaccine"; amending s. 381.00315, F.S.; providing  
8     construction; amending s. 456.054, F.S.; prohibiting a  
9     vaccine manufacturer from offering or paying, and a  
10    health care practitioner from receiving, specified  
11    financial incentives for the administration of a  
12    vaccine; providing a penalty; amending s. 456.0575,  
13    F.S.; requiring certain health care practitioners and  
14    paramedics to, before administering one or more  
15    vaccines to a minor child, provide the parent or legal  
16    guardian with specified materials; requiring such  
17    practitioners and paramedics to obtain the signature  
18    of a minor child's parent or guardian acknowledging  
19    receipt of such information; requiring health care  
20    practitioners to discuss certain information with a  
21    minor child's parent or guardian when more than one  
22    vaccine is to be administered; authorizing a health  
23    care practitioner, at the request of the parent or  
24    guardian, to administer the vaccines to the minor  
25    child over multiple encounters; providing that  
26    specified amendments made by the act to s. 456.0575,  
27    F.S., take effect on a specified date or within a  
28    specified timeframe after the Board of Medicine and  
29    the Board of Osteopathic Medicine adopt certain

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30 materials by joint rule, whichever occurs later;  
31 requiring the boards to adopt the joint rule within a  
32 specified timeframe and immediately notify the  
33 Division of Law Revision of their adoption of the  
34 joint rule; creating ss. 458.3351, 459.0156, and  
35 464.0181, F.S.; providing certain health care  
36 practitioners immunity from civil and criminal  
37 liability and disciplinary action for prescribing or  
38 administering ivermectin to adults under certain  
39 circumstances; creating s. 465.1897, F.S.; authorizing  
40 pharmacists to provide ivermectin to adults without a  
41 prescription as a behind-the-counter medication until  
42 the United States Food and Drug Administration  
43 approves it for over-the-counter sale; requiring  
44 pharmacists to provide specified information before  
45 providing the ivermectin; providing pharmacists acting  
46 in good faith with immunity from civil and criminal  
47 liability and disciplinary action for providing  
48 ivermectin to adults; authorizing the Board of  
49 Pharmacy to adopt rules; amending s. 1003.22, F.S.;  
50 revising exemptions from school-entry immunization  
51 requirements; requiring the Department of Health to  
52 make the immunization exemption form for religious or  
53 conscience-based exemptions publicly available on its  
54 website; specifying procedures and requirements for  
55 receiving such exemptions; requiring the department to  
56 ensure that when a certain exemption form is  
57 downloaded from its website, the download includes the  
58 form and specified materials as a single document;

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59 providing that the requirement takes effect upon  
60 adoption of a specified rule; requiring that the web  
61 page containing the download link also include and  
62 prominently display certain other links; revising  
63 requirements and procedures for declarations of a  
64 communicable disease emergency; providing effective  
65 dates.

66  
67 Be It Enacted by the Legislature of the State of Florida:

68  
69 Section 1. This act may be cited as the "Medical Freedom  
70 Act."

71 Section 2. Section 9 of chapter 2023-43, Laws of Florida,  
72 as amended by section 1 of chapter 2025-114, Laws of Florida, is  
73 repealed.

74 Section 3. Paragraph (d) of subsection (2) of section  
75 381.00315, Florida Statutes, is amended to read:

76 381.00315 Public health advisories; public health  
77 emergencies; isolation and quarantines.—The State Health Officer  
78 is responsible for declaring public health emergencies, issuing  
79 public health advisories, and ordering isolation or quarantines.

80 (2)

81 (d) The State Health Officer, upon declaration of a public  
82 health emergency, may take actions that are necessary to protect  
83 the public health. Such actions include, but are not limited to:

84 1. Directing manufacturers of prescription drugs or over-  
85 the-counter drugs who are permitted under chapter 499 and  
86 wholesalers of prescription drugs located in this state who are  
87 permitted under chapter 499 to give priority to the shipping of

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88 specified drugs to pharmacies and health care providers within  
89 geographic areas identified by the State Health Officer. The  
90 State Health Officer must identify the drugs to be shipped.  
91 Manufacturers and wholesalers located in the state must respond  
92 to the State Health Officer's priority shipping directive before  
93 shipping the specified drugs.

94 2. Notwithstanding chapters 465 and 499 and rules adopted  
95 thereunder, directing pharmacists employed by the department to  
96 compound bulk prescription drugs and provide these bulk  
97 prescription drugs to physicians and nurses of county health  
98 departments or any qualified person authorized by the State  
99 Health Officer for administration to persons as part of a  
100 prophylactic or treatment regimen.

101 3. Notwithstanding s. 456.036, temporarily reactivating the  
102 inactive license of the following health care practitioners,  
103 when such practitioners are needed to respond to the public  
104 health emergency: physicians licensed under chapter 458 or  
105 chapter 459; physician assistants licensed under chapter 458 or  
106 chapter 459; licensed practical nurses, registered nurses, and  
107 advanced practice registered nurses licensed under part I of  
108 chapter 464; respiratory therapists licensed under part V of  
109 chapter 468; and emergency medical technicians and paramedics  
110 certified under part III of chapter 401. Only those health care  
111 practitioners specified in this paragraph who possess an  
112 unencumbered inactive license and who request that such license  
113 be reactivated are eligible for reactivation. An inactive  
114 license that is reactivated under this paragraph shall return to  
115 inactive status when the public health emergency ends or before  
116 the end of the public health emergency if the State Health

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117 Officer determines that the health care practitioner is no  
118 longer needed to provide services during the public health  
119 emergency. Such licenses may only be reactivated for a period  
120 not to exceed 90 days without meeting the requirements of s.  
121 456.036 or chapter 401, as applicable.

122 4. Ordering an individual to be examined, tested, treated,  
123 isolated, or quarantined for communicable diseases that have  
124 significant morbidity or mortality and present a severe danger  
125 to public health. Individuals who are unable or unwilling to be  
126 examined, tested, or treated for reasons of health, religion, or  
127 conscience may be subjected to isolation or quarantine. For the  
128 purposes of this subparagraph, the State Health Officer's  
129 authority to treat or order treatment does not include the  
130 authority to order a vaccination.

131 a. Examination, testing, or treatment may be performed by  
132 any qualified person authorized by the State Health Officer.

133 b. If the individual poses a danger to the public health,  
134 the State Health Officer may subject the individual to isolation  
135 or quarantine. If there is no practical method to isolate or  
136 quarantine the individual, the State Health Officer may use any  
137 means necessary to treat the individual.

138 c. Any order of the State Health Officer given to  
139 effectuate this paragraph is immediately enforceable by a law  
140 enforcement officer under s. 381.0012.

141 Section 4. Present subsection (4) of section 456.054,  
142 Florida Statutes, is redesignated as subsection (5) and amended,  
143 and a new subsection (4) is added to that section, to read:

144 456.054 Kickbacks prohibited.—

145 (4) It is unlawful for a vaccine manufacturer to offer or

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146 pay, a commission, bonus, kickback, or rebate, directly or  
147 indirectly, overtly or covertly, in cash or in kind, for the  
148 administration of a vaccine. It is unlawful for a health care  
149 practitioner to receive such a commission, bonus, kickback, or  
150 rebate from a vaccine manufacturer for the administration of a  
151 vaccine.

152 (5)~~(4)~~ Violations of this section are ~~shall be~~ considered  
153 patient brokering and are ~~shall be~~ punishable as provided in s.  
154 817.505.

155 Section 5. Section 456.0575, Florida Statutes, is amended  
156 to read:

157 456.0575 Duty to notify patients.—

158 (1) ADVERSE INCIDENTS.—~~A Every licensed~~ health care  
159 practitioner shall inform each patient, or an individual  
160 identified pursuant to s. 765.401(1), in person about adverse  
161 incidents that result in serious harm to the patient.  
162 Notification of outcomes of care that result in harm to the  
163 patient under this section does not constitute an acknowledgment  
164 of admission of liability, nor can such notifications be  
165 introduced as evidence.

166 (2) VACCINATIONS OF MINORS.—

167 (a) Each health care practitioner authorized by law to  
168 administer vaccines, and each paramedic acting pursuant to s.  
169 401.272, shall, before administering one or more vaccines to a  
170 minor child, provide the parent or guardian with the following:

171 1. The most recently issued Vaccine Information Statement  
172 published by the United States Centers for Disease Control and  
173 Prevention pertaining to each vaccine being administered.

174 2. Materials approved and adopted by joint rule of the

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175 Board of Medicine and the Board of Osteopathic Medicine relating  
176 to the role of immunizations in communicable disease prevention,  
177 including risks, benefits, safety, and efficacy.

178 (b) Before administering one or more vaccines to a minor  
179 child, the health care practitioner or paramedic must obtain the  
180 signature of the parent or guardian acknowledging receipt of the  
181 information required under paragraph (a).

182 (c) When more than one vaccine is to be administered, the  
183 health care practitioner shall discuss the timing of multiple  
184 vaccinations with the child's parent or guardian and the  
185 parent's or guardian's options for such timing before  
186 administering the initial vaccination. At the request of the  
187 parent or guardian, a health care practitioner may administer  
188 vaccines to the minor child over multiple encounters.

189 (3) GOOD FAITH ESTIMATE OF CHARGES.—Upon request by a  
190 patient, before providing nonemergency medical services in a  
191 facility licensed under chapter 395, a health care practitioner  
192 shall provide, in writing or by electronic means, a good faith  
193 estimate of reasonably anticipated charges to treat the  
194 patient's condition at the facility. The health care  
195 practitioner shall provide the estimate to the patient within 7  
196 business days after receiving the request and is not required to  
197 adjust the estimate for any potential insurance coverage. The  
198 health care practitioner shall inform the patient that the  
199 patient may contact his or her health insurer or health  
200 maintenance organization for additional information concerning  
201 cost-sharing responsibilities. The health care practitioner  
202 shall provide information to uninsured patients and insured  
203 patients for whom the practitioner is not a network provider or

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204 preferred provider which discloses the practitioner's financial  
205 assistance policy, including the application process, payment  
206 plans, discounts, or other available assistance, and the  
207 practitioner's charity care policy and collection procedures.  
208 Such estimate does not preclude the actual charges from  
209 exceeding the estimate. Failure to provide the estimate in  
210 accordance with this subsection, without good cause, shall  
211 result in disciplinary action against the health care  
212 practitioner and a daily fine of \$500 until the estimate is  
213 provided to the patient. The total fine may not exceed \$5,000.

214 Section 6. The amendments made by this act to s.  
215 456.0575(2) (a) and (b), Florida Statutes, relating to  
216 information that must be provided to parents or guardians before  
217 the administration of a vaccination to a minor are effective  
218 July 1, 2026, or 30 days after the Board of Medicine and the  
219 Board of Osteopathic Medicine adopt by joint rule the  
220 informational materials as required under s. 456.0575(2) (a),  
221 Florida Statutes, as created by this act, whichever occurs  
222 later. The Board of Medicine and the Board of Osteopathic  
223 Medicine shall adopt the joint rule no later than 120 days after  
224 this act becomes a law and shall notify the Division of Law  
225 Revision immediately upon their adoption of the joint rule. This  
226 section takes effect upon becoming a law.

227 Section 7. Section 458.3351, Florida Statutes, is created  
228 to read:

229 458.3351 Prescription or administration of ivermectin.—A  
230 health care practitioner who is licensed under this chapter and  
231 whose license includes prescribing authority is immune from  
232 civil or criminal liability or disciplinary action for

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233 prescribing or administering ivermectin to an adult in good  
234 faith, in accordance with the applicable standard of care and in  
235 accordance with this chapter and the rules pertaining to his or  
236 her practice.

237 Section 8. Section 459.0156, Florida Statutes, is created  
238 to read:

239 459.0156 Prescription or administration of ivermectin.—A  
240 health care practitioner who is licensed under this chapter and  
241 whose license includes prescribing authority is immune from  
242 civil or criminal liability or disciplinary action for  
243 prescribing or administering ivermectin to an adult in good  
244 faith, in accordance with the applicable standard of care and in  
245 accordance with this chapter and the rules pertaining to his or  
246 her practice.

247 Section 9. Section 464.0181, Florida Statutes, is created  
248 to read:

249 464.0181 Prescription or administration of ivermectin.—A  
250 health care practitioner who is licensed under this chapter and  
251 whose license includes prescribing authority is immune from  
252 civil or criminal liability or disciplinary action for  
253 prescribing or administering ivermectin to an adult in good  
254 faith, in accordance with the applicable standard of care and in  
255 accordance with this chapter and the rules pertaining to his or  
256 her practice.

257 Section 10. Section 465.1897, Florida Statutes, is created  
258 to read:

259 465.1897 Sale of ivermectin without a prescription.—

260 (1) A pharmacist may provide ivermectin to a person 18  
261 years of age or older without a prescription as a behind-the-

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262 counter medication until the United States Food and Drug  
263 Administration approves it for over-the-counter sale.

264 (2) Before providing ivermectin under this section, the  
265 pharmacist shall provide the person with written information  
266 regarding the indications and contraindications for ivermectin,  
267 the appropriate dosage, and the need to seek follow-up care from  
268 the person's primary care physician.

269 (3) A pharmacist acting in good faith is immune from civil  
270 or criminal liability or disciplinary action for providing  
271 ivermectin to an adult in accordance with this section.

272 (4) The board may adopt rules to implement this section.

273 Section 11. Subsections (5) and (9) of section 1003.22,  
274 Florida Statutes, are amended to read:

275 1003.22 School-entry health examinations; immunization  
276 against communicable diseases; exemptions; duties of Department  
277 of Health.—

278 (5) A child is exempt from immunization requirements in  
279 subsection (3) ~~The provisions of this section shall not apply~~  
280 if:

281 (a) The parent of the child presents to the school, on a  
282 form adopted by rule of the Department of Health and made  
283 available on its website, an attestation ~~objects in writing~~ that  
284 the administration of immunizing agents conflicts with the  
285 parent's ~~his or her~~ religious tenets or practices or conscience;

286 (b) A physician licensed under ~~the provisions of~~ chapter  
287 458 or chapter 459 certifies in writing, on a form approved and  
288 provided by the Department of Health, that the child should be  
289 permanently exempt from one or more of the required  
290 immunizations ~~immunization~~ for medical reasons stated in

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291 writing, based upon valid clinical reasoning or evidence,  
292 demonstrating the need for the permanent exemption;

293 (c) A physician licensed under ~~the provisions of~~ chapter  
294 458, chapter 459, or chapter 460 certifies in writing, on a form  
295 approved and provided by the Department of Health, that the  
296 child has received as many immunizations as are medically  
297 indicated at the time and is in the process of completing the  
298 other required necessary immunizations;

299 (d) The Department of Health determines that, according to  
300 recognized standards of medical practice, any required  
301 immunization is unnecessary or hazardous; or

302 (e) An authorized school official issues a temporary  
303 exemption, for up to 30 school days, to allow ~~permit~~ a student  
304 who transfers into a new county to attend class until his or her  
305 records can be obtained. Children and youths who are  
306 experiencing homelessness and children who are known to the  
307 department, as defined in s. 39.0016, shall be given a temporary  
308 exemption for 30 school days. The public school health nurse or  
309 authorized private school official is responsible for follow-up  
310 ~~followup~~ of each such student until proper documentation or  
311 immunizations are obtained. An exemption for 30 days may be  
312 issued for a student who enters a juvenile justice program to  
313 allow ~~permit~~ the student to attend class until his or her  
314 records can be obtained or until the immunizations can be  
315 administered ~~obtained~~. An authorized juvenile justice official  
316 is responsible for follow-up ~~followup~~ of each student who enters  
317 a juvenile justice program until proper documentation is  
318 obtained or immunizations are administered ~~obtained~~.

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320 Upon making the exemption form referenced under paragraph (a)  
321 available on its website, the Department of Health shall ensure  
322 that when the form is downloaded, such download includes, as a  
323 single document, the form and materials approved and adopted by  
324 joint rule of the Board of Medicine and the Board of Osteopathic  
325 Medicine under s. 456.0575(2) (a) relating to the role of  
326 immunizations in communicable disease prevention, including  
327 risks, benefits, safety, and efficacy. This requirement shall  
328 take effect upon the adoption of the joint rule. The web page  
329 containing the download link must also include and prominently  
330 display a link or links to the United States Centers for Disease  
331 Control and Prevention's current Vaccine Information Statements.

332 (9) The presence of any of the communicable diseases for  
333 which immunization is required under subsection (3) ~~by the~~  
334 ~~Department of Health~~ in a Florida public or private school  
335 authorizes ~~shall permit~~ the county health department director or  
336 administrator or the State Health Officer to declare a  
337 communicable disease emergency. The declaration of such  
338 emergency must ~~shall~~ mandate that all students attending in  
339 ~~attendance in~~ the school who have not been immunized against the  
340 diseases specified in subsection (3) or related Department of  
341 Health rules are not in compliance with the provisions of this  
342 ~~section~~ be identified by the district school board or by the  
343 governing authority of the private school, ~~and~~ and the school  
344 health and immunization records of such children must ~~shall~~ be  
345 made available to the county health department director or  
346 administrator. ~~Those Children who are~~ identified as not having  
347 been ~~being~~ immunized against the disease for which the emergency  
348 has been declared must ~~shall~~ be temporarily excluded from school

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349 attendance by the district school board, or the governing  
350 authority of the private school, until ~~such time as is specified~~  
351 ~~by~~ the county health department director or administrator  
352 declares that the communicable disease emergency has ended.

353 Section 12. Except as otherwise expressly provided in this  
354 act and except for this section, which shall take effect upon  
355 this act becoming a law, this act shall take effect July 1,  
356 2026.