

1 A bill to be entitled
2 An act relating to naturopathic medicine; renaming ch.
3 462, F.S., as "Naturopathic Medicine"; creating s.
4 462.001, F.S.; providing legislative findings and
5 purpose; creating s. 462.002, F.S.; providing
6 applicability and construction; renumbering and
7 amending s. 462.01, F.S.; revising and providing
8 definitions; creating s. 462.004, F.S.; creating the
9 Board of Naturopathic Medicine within the Department
10 of Health; providing for membership of the board;
11 requiring the board, in conjunction with the
12 department, to establish a disciplinary training
13 program for board members; providing requirements for
14 the program; providing that board members must
15 complete a training program to participate in probable
16 cause panels or disciplinary decisions; requiring
17 board members appointed to probable cause panels to
18 attempt to complete their work on every case
19 presented; authorizing board members to reconvene a
20 probable cause panel under certain circumstances;
21 providing applicability; renumbering and amending s.
22 462.023, F.S.; authorizing the board to adopt rules;
23 deleting obsolete language; creating s. 462.006, F.S.;
24 prohibiting an unlicensed person from practicing
25 naturopathic medicine or using specified titles or

26 abbreviations; providing construction; providing
27 penalties; creating s. 462.007, F.S.; providing for
28 licensure by examination of naturopathic doctors;
29 requiring the department and the board to use an
30 investigative process that meets certain criteria;
31 authorizing the State Surgeon General or her or his
32 designee to issue a 90-day licensure delay under
33 certain circumstances; providing construction;
34 prohibiting the board from certifying for licensure
35 certain applicants until a certain investigation is
36 completed; providing applicability; authorizing the
37 board to enter an order imposing certain sanctions
38 against or conditions on an applicant under certain
39 circumstances; creating s. 462.008, F.S.; providing
40 for licensure by endorsement of naturopathic doctors;
41 renumbering and amending s. 462.08, F.S.; revising
42 requirements for licensure renewal for naturopathic
43 doctors; requiring the department to adopt rules;
44 renumbering and amending s. 462.18, F.S.; revising
45 continuing education requirements for naturopathic
46 doctors; requiring naturopathic doctors to use the
47 department's electronic continuing education tracking
48 system to demonstrate compliance with continuing
49 education requirements; renumbering and amending s.
50 462.19, F.S.; revising provisions related to

51 reactivation of inactive naturopathic doctor licenses;
52 requiring the board to adopt certain rules;
53 prohibiting the department from reactivating a license
54 until certain conditions have been met; creating s.
55 462.015, F.S.; providing financial responsibility
56 requirements as a condition of licensure for
57 naturopathic doctors; providing exemptions from such
58 requirements; requiring certain insuring entities to
59 notify the department promptly of a naturopathic
60 doctor's cancellation or nonrenewal of insurance;
61 requiring the department to suspend the license of a
62 naturopathic doctor under certain circumstances until
63 the licensee demonstrates compliance with specified
64 requirements; providing applicability; requiring a
65 certain naturopathic doctor to provide a specified
66 notice to his or her patients; providing requirements
67 for the notice; providing for disciplinary action and
68 for permanent disqualification from any exemption from
69 the financial responsibility requirements for
70 specified conduct; requiring certain naturopathic
71 doctors to notify the department in writing of any
72 change in circumstance and demonstrate compliance with
73 certain requirements; requiring the department to
74 suspend the license of a naturopathic doctor under
75 certain circumstances until certain requirements are

76 met; providing applicability; requiring the board to
77 adopt rules; renumbering and amending s. 462.13, F.S.;
78 conforming a provision to changes made by the act;
79 renumbering and amending s. 462.14, F.S.; revising
80 grounds for disciplinary action; providing
81 construction; providing for disciplinary actions by
82 the board and department; providing requirements for
83 the reinstatement of a license for certain persons;
84 providing requirements for disciplinary guidelines
85 adopted by the board; providing requirements and
86 procedures for the department's receipt of certain
87 closed claims and reports involving a licensed
88 naturopathic doctor; authorizing the department to
89 bring an action to enjoin a naturopathic doctor from
90 providing medical services under certain
91 circumstances; requiring the department to promptly
92 furnish certain documents to a naturopathic doctor or
93 her or his attorney upon undertaking an investigation
94 of the naturopathic doctor; authorizing a naturopathic
95 doctor who is the subject of such investigation to
96 submit a written response within a specified
97 timeframe; requiring that the response be considered
98 by the probable cause panel, if held on the matter;
99 amending ss. 20.43, 381.0031, 468.301, 476.044,
100 477.0135, 485.003, 486.161, 627.351, 893.02, and

921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

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

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

462.001 Legislative findings; purpose.—The Legislature finds that the interest of public health requires modernization of regulation related to naturopathy in this state. Since 1927, when Florida first regulated naturopathy, the profession and its role within the healthcare industry have evolved including the distinction that exists today between naturopathy and naturopathic medicine, and this chapter reflects that evolution. It is the intent of the Legislature to free naturopathy in this state by removing the near total ban on the profession that has been in place since 1959 by ensuring:

(1) Naturopathy is offered by naturopaths in this state.

(2) Naturopathic medicine is practiced in this state by issuing licenses to naturopathic doctors who meet clear standards of education and training, and who are held accountable for safe practice.

Section 3. Section 462.002, Florida Statutes, is created

126 **to read:**

127 462.002 Exceptions.—

128 (1) This chapter does not apply to:

129 (a) Other duly licensed health care practitioners acting
130 within their respective scopes of practice, as authorized by
131 general law.

132 (b) Students practicing under the direct supervision of a
133 licensed naturopathic doctor as part of a preceptorship program
134 while enrolled in a college or university program that is
135 accredited by, or has candidacy status with, the Council on
136 Naturopathic Medical Education or an equivalent accrediting body
137 for the naturopathic medical profession which is recognized by
138 the United States Department of Education and the board.

139 (c) Naturopathic residents practicing under the direct
140 supervision of a licensed naturopathic doctor at a residency
141 site recognized by the Council on Naturopathic Medical Education
142 or by an equivalent accrediting body for the naturopathic
143 medical profession which is recognized by the United States
144 Department of Education or the board.

145 (d) A naturopathic doctor who holds an active license in
146 another jurisdiction of the United States or Canada and is
147 performing naturopathic procedures or demonstrating equipment or
148 supplies for educational purposes at a board-approved continuing
149 education program.

150 (e) The practice of the religious tenets of any church in

151 this state.

152 (f) The domestic administration of recognized family
153 remedies.

154 (2) This chapter does not prohibit:

155 (a) A person who sells a dietary supplement from providing
156 information about the dietary supplement.

157 (b) Any person:

158 1. Not licensed as a naturopathic doctor from employing in
159 his or her occupation Ayurveda, herbalism, homeopathy,
160 naturopathy as defined in s. 462.003, nutrition, traditional
161 Chinese medicine, or other natural therapy included as part of
162 the practice of naturopathic medicine, as defined in s. 462.003;
163 or

164 2. From using terms, including, but not limited to,
165 "certified naturopath," "naturopath," "naturopathy,"
166 "traditional naturopath," or "traditional naturopath," provided
167 that the person does not:

168 a. Use a title protected under s. 462.006; or

169 b. Represent or assume the character or appearance of a
170 person described in s. 462.006.

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

173 462.003 ~~462.01~~ Definitions.—As used in this chapter, the
174 term:

175 (1) "Board" means the Board of Naturopathic Medicine.

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

177 (3) (a) "Naturopathic medicine" and "practice of
178 naturopathic medicine" mean the diagnosis, prevention, and
179 treatment by a naturopathic doctor of any deformity, disease,
180 injury, pain, or other physical or mental condition using
181 botanical or fungal extracts, clinical nutrition, counseling
182 techniques, dietary supplements, environmental medicine,
183 homeopathic remedies, imaging studies, laboratory testing,
184 lifestyle medicine, natural substances, physical exam, or
185 physical medicine in a manner consistent with the education
186 offered by naturopathic doctoral degree programs accredited by,
187 or having candidacy status with, the Council on Naturopathic
188 Medical Education or another accrediting agency recognized by
189 the United States Department of Education or the board, and
190 applied in a manner consistent with the principles of
191 naturopathic medicine and the naturopathic therapeutic order
192 defined herein.

193 (b) The term does not include any of the following:

194 1. Prescribing, dispensing, or administering any legend
195 drug or prescription drug outside of natural, non-pharmacologic
196 substances such as but not to limited vitamin B12.

197 2. Performing any surgical procedure.

198 3. Practicing or claiming to practice as a medical doctor
199 or physician, an osteopathic physician, a dentist, a podiatric
200 physician, an optometrist, a psychologist, a nurse practitioner,

201 a physician assistant, a chiropractic physician, a physical
202 therapist, an acupuncturist, a midwife, or a health care
203 practitioner as defined in s. 456.001.

204 4. Using general or spinal anesthetics.

205 5. Administering ionizing radioactive substances.

206 6. Performing chiropractic or osteopathic adjustments or
207 manipulations that include high-velocity thrusts at or beyond
208 the end range of normal joint motion, unless the naturopathic
209 doctor is also licensed as a chiropractic physician or an
210 osteopathic physician.

211 7. Performing acupuncture, unless the naturopathic doctor
212 is also licensed as an acupuncturist.

213 8. Managing labor and delivery, unless the naturopathic
214 doctor is also a licensed midwife.

215 (4) "Naturopathic doctor" means a person who is licensed
216 to practice naturopathic medicine under this chapter.

217 (5) "Naturopathic therapeutic order" means a principle
218 defined by the American Association of Naturopathic Physicians
219 to guide naturopathic doctors in resolving a patient's symptoms
220 and addressing the root cause of a patient's disease while using
221 the least therapeutic force necessary.

222 (6) ~~(1)~~ "Natureopathy" and "Naturopathy" is shall be
223 ~~construed as~~ synonymous with "traditional naturopathy" and is
224 understood to be distinct from naturopathic medicine, means the
225 traditional, non-invasive health practice offered by naturopaths

226 and traditional naturopaths focusing on education about natural
227 practices and substances that can be used to promote general
228 health and well-being ~~terms and mean the use and practice of~~
229 ~~psychological, mechanical, and material health sciences to aid~~
230 ~~in purifying, cleansing, and normalizing human tissues for the~~
231 ~~preservation or restoration of health, according to the~~
232 ~~fundamental principles of anatomy, physiology, and applied~~
233 ~~psychology, as may be required. Naturopathic practice employs,~~
234 ~~among other agencies, phytotherapy, dietetics, psychotherapy,~~
235 ~~suggestotherapy, hydrotherapy, zone therapy, biochemistry,~~
236 ~~external applications, electrotherapy, mechanotherapy,~~
237 ~~mechanical and electrical appliances, hygiene, first aid,~~
238 ~~sanitation, and heliotherapy; provided, however, that nothing in~~
239 ~~this chapter shall be held or construed to authorize any~~
240 ~~naturopathic physician licensed hereunder to practice materia~~
241 ~~medica or surgery or chiropractic medicine, nor shall the~~
242 ~~provisions of this law in any manner apply to or affect the~~
243 ~~practice of osteopathic medicine, chiropractic medicine,~~
244 ~~Christian Science, or any other treatment authorized and~~
245 ~~provided for by law for the cure or prevention of disease and~~
246 ~~ailments.~~

247 (7) "Principles of naturopathic medicine" means the
248 foundations of naturopathic medical education and practice as
249 set forth by the American Association of Naturopathic Physicians
250 or the board and embodied in the education offered by

naturopathic doctoral degree programs accredited by, or having
candidacy status with, the Council on Naturopathic Medical
Education or another accrediting agency recognized by the United
States Department of Education or the board, and including all
of the following principles:

(a) The healing power of nature.

(b) Identify and treat the causes.

(c) First do no harm.

(d) Doctor as teacher.

(e) Treat the whole person.

(f) Prevention.

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

462.004 Board of Naturopathic Medicine.—

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

(2) (a) Four members of the board must be licensed
naturopathic doctors who are residents of this state.

(b) Two members of the board must be physicians licensed
under chapter 458 or chapter 459 who are residents of this
state.

(c) One member must be a resident of this state who is
not, and has never been, licensed as a naturopathic doctor, an
osteopathic physician, a physician, or any other closely related

276 profession.

277 (d) At least one member must be 60 years of age or older.

278 (3) As the terms of the members expire, the Governor shall
279 appoint successors for terms of 4 years, and such members shall
280 serve until their successors are appointed.

281 (4) All provisions of chapter 456 relating to the board
282 shall apply.

283 **Section 6. Section 462.023, Florida Statutes, is**
284 **renumbered as section 462.005, Florida Statutes, and amended to**
285 **read:**

286 462.005 ~~462.023~~ Rulemaking authority; powers and duties of
287 the board department.—The board department may adopt ~~such~~ rules
288 pursuant to ss. 120.536(1) and 120.54 to implement the
289 provisions of this chapter conferring duties upon it ~~as are~~
290 ~~necessary to carry out the purposes of this chapter, initiate~~
291 ~~disciplinary action as provided by this chapter, and shall~~
292 ~~establish fees based on its estimates of the revenue required to~~
293 ~~administer this chapter but shall not exceed the fee amounts~~
294 ~~provided in this chapter. The department shall not adopt any~~
295 ~~rules which would cause any person who was not licensed in~~
296 ~~accordance with this chapter on July 1, 1959, and had not been a~~
297 ~~resident of the state for 2 years prior to such date, to become~~
298 ~~licensed.~~

299 **Section 7. Section 462.006, Florida Statutes, is created**
300 **to read:**

462.006 License required.—

(1) Unless licensed under this chapter, a person may not practice naturopathic medicine in this state and may not promote, identify, or describe herself or himself as a "doctor of naturopathic medicine," or a "naturopathic doctor" or use the post-nominals "N.D." or "N.M.D."

(2) A person who violates this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 8. Section 462.007, Florida Statutes, is created to read:

462.007 Licensure by examination.—

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

(a) Is at least 21 years of age.

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

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

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

Universities Canada or a successor entity recognized by the
board; or

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

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

(d) Is physically and mentally fit to practice as a
naturopathic doctor.

(e) Is of good moral character.

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

351 (g) Has obtained a passing score on Part I - Biomedical
352 Science Examination and Part II - Core Clinical Science
353 Examination of the competency-based national Naturopathic
354 Physician Licensing Examination administered by the North
355 American Board of Naturopathic Examiners, or an equivalent
356 examination offered by an equivalent or successor entity, as
357 approved by the board.

358 (2) The department and the board shall ensure that
359 applicants for licensure satisfy the applicable criteria in this
360 section through an investigative process. If the investigative
361 process is not completed within the timeframe established in s.
362 120.60(1) and the department or board has reason to believe that
363 the applicant does not meet such criteria, the State Surgeon
364 General or her or his designee may issue a 90-day licensure
365 delay, which must be in writing and sufficient to notify the
366 applicant of the reason for the delay. This subsection prevails
367 over any conflicting provision of s. 120.60(1).

368 (3) The board may not certify to the department for
369 licensure any applicant who is under investigation in another
370 jurisdiction for an offense that would constitute a violation of
371 this chapter or chapter 456 until the investigation has been
372 completed.

373 (4) If the board determines that an applicant for
374 licensure has failed to meet, to the board's satisfaction, any
375 of the requirements of this section, the board may take one of

the following actions:

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

(b) Certification to the department of an application for licensure with restrictions on the scope of practice of the naturopathic doctor.

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

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

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

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

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

(1) In order to continue practicing naturopathic medicine in this state, each licensed naturopathic doctor must
~~licenseholder shall~~ biennially renew her or his license to practice naturopathic medicine ~~naturopathy~~. The applicant for license renewal must furnish to the board ~~department~~ such evidence as it requires of the applicant's compliance with s. 462.011 ~~s. 462.18~~, relating to continuing education ~~educational~~ requirements. The nonrefundable biennial renewal fee, the amount of which shall be determined by the department but which may not exceed \$1,000, must be paid at the time the application for renewal of the license is filed.

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

Section 11. Section 462.18, Florida Statutes, is renumbered as section 462.011, Florida Statutes, and amended to read:

462.011 ~~462.18~~ Continuing education ~~Educational~~ requirements.—

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

426 section.

427 (2) The board shall require each licensee to complete at
428 least 60 hours of continuing education during each biennial
429 renewal period.

430 (a) The board shall approve organizations that accredit
431 naturopathic continuing education providers, including, but not
432 limited to, the American Association of Naturopathic Physicians,
433 and the North American Naturopathic Continuing Education
434 Accreditation Council.

435 (b) The determination of whether substitute continuing
436 education programs are permissible is solely within the
437 discretion of the board.

438 (3) The licensee must use the electronic continuing
439 education tracking system developed by the department under s.
440 456.0361 to demonstrate compliance with the continuing education
441 requirements of this section ~~year preceding each such~~
442 ~~application for renewal, the licensee has attended the 2-day~~
443 ~~educational program as promulgated and conducted by the Florida~~
444 ~~Naturopathic Physicians Association, Inc., or, as a substitute~~
445 ~~therefor, the equivalent of that program as approved by the~~
446 ~~department. The department shall send a written notice to this~~
447 ~~effect to every person holding a valid license to practice~~
448 ~~naturopathy within this state at least 30 days prior to May 1 in~~
449 ~~each even-numbered year, directed to the last known address of~~
450 ~~such licensee, and shall enclose with the notice proper blank~~

~~forms for application for annual license renewal. All of the details and requirements of the aforesaid educational program shall be adopted and prescribed by the department. In the event of national emergencies, or for sufficient reason, the department shall have the power to excuse the naturopathic physicians as a group or as individuals from taking this postgraduate course.~~

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

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

462.012 ~~462.19~~ Renewal of license; inactive status; reactivation of license.—

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

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

~~(1) The department shall renew a license upon receipt of the renewal application and fee.~~

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

Section 13. Section 462.14, Florida Statutes, is renumbered as section 462.017, Florida Statutes, and amended to read:

462.017 ~~462.14~~ Grounds for disciplinary action; action by the department.—

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

(1)~~(a)~~ Attempting to obtain, obtaining, or renewing a license to practice naturopathic medicine by bribery, by fraudulent misrepresentation, or through an error of the department.

(2)~~(b)~~ Having a license to practice naturopathic medicine revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country.

(3)~~(c)~~ Being convicted or found guilty, regardless of adjudication, of a crime in any jurisdiction which directly relates to the practice of naturopathic medicine or to the ability to practice naturopathic medicine. Any plea of nolo

501 | contendere shall be considered a conviction for purposes of this
502 | chapter.

503 | ~~(4)(d)~~ False, deceptive, or misleading advertising related
504 | to the practice of naturopathic medicine.

505 | ~~(5)(e)~~ Advertising, practicing, or attempting to practice
506 | under a name other than one's own.

507 | ~~(6)(f)~~ Failing to report to the department any person who
508 | the licensee knows is in violation of this chapter or of the
509 | rules of the department. However, a person who the licensee
510 | knows is unable to practice naturopathic medicine with
511 | reasonable skill and safety to patients by reason of illness or
512 | use of alcohol, drugs, narcotics, chemicals, or any other type
513 | of material, or as a result of a mental or physical condition,
514 | may be reported to a consultant operating an impaired
515 | practitioner program as described in s. 456.076 rather than to
516 | the department.

517 | ~~(7)(g)~~ Aiding, assisting, procuring, employing, or
518 | advising any unlicensed person to practice naturopathic medicine
519 | contrary to this chapter or to a rule of the department.

520 | ~~(8)(h)~~ Failing to perform any statutory or legal
521 | obligation placed upon a licensed naturopathic doctor ~~physician.~~

522 | ~~(9)(i)~~ Making or filing a report which the licensee knows
523 | to be false, intentionally or negligently failing to file a
524 | report or record required by state or federal law, willfully
525 | impeding or obstructing such filing or inducing another person

526 to do so. Such reports or records shall include only those which
527 are signed in the capacity as a licensed naturopathic doctor
528 physician.

529 ~~(j) Paying or receiving any commission, bonus, kickback,~~
530 ~~or rebate, or engaging in any split-fee arrangement in any form~~
531 ~~whatsoever with a physician, organization, agency, or person,~~
532 ~~either directly or indirectly, for patients referred to~~
533 ~~providers of health care goods and services, including, but not~~
534 ~~limited to, hospitals, nursing homes, clinical laboratories,~~
535 ~~ambulatory surgical centers, or pharmacies. The provisions of~~
536 ~~This paragraph shall not be construed to prevent a naturopathic~~
537 ~~physician from receiving a fee for professional consultation~~
538 ~~services.~~

539 (10)(k) Exercising influence within a patient-physician
540 relationship for purposes of engaging a patient in sexual
541 activity. A patient is ~~shall be~~ presumed to be incapable of
542 giving free, full, and informed consent to sexual activity with
543 her or his naturopathic doctor ~~physician~~.

544 ~~(l) Making deceptive, untrue, or fraudulent~~
545 ~~representations in the practice of naturopathic medicine or~~
546 ~~employing a trick or scheme in the practice of naturopathic~~
547 ~~medicine when such scheme or trick fails to conform to the~~
548 ~~generally prevailing standards of treatment in the medical~~
549 ~~community.~~

550 ~~(m) Soliciting patients, either personally or through an~~

551 ~~agent, through the use of fraud, intimidation, undue influence,~~
552 ~~or a form of overreaching or vexatious conduct. A "solicitation"~~
553 ~~is any communication which directly or implicitly requests an~~
554 ~~immediate oral response from the recipient.~~

555 (11)(n) Failing to keep written medical records justifying
556 the course of treatment of the patient, ~~including, but not~~
557 ~~limited to, patient histories, examination results, test~~
558 ~~results, X rays, and records of the prescribing, dispensing and~~
559 ~~administering of drugs.~~

560 (12)(o) Exercising influence on the patient ~~or client~~ in
561 such a manner as to exploit the patient ~~or client~~ for the
562 financial gain of the licensee or of a third party, ~~which shall~~
563 ~~include, but not be limited to, the promoting or selling of~~
564 ~~services, goods, appliances, or drugs and the promoting or~~
565 ~~advertising on any prescription form of a community pharmacy~~
566 ~~unless the form also states "This prescription may be filled at~~
567 ~~any pharmacy of your choice."~~

568 ~~(p) Performing professional services which have not been~~
569 ~~duly authorized by the patient or client, or her or his legal~~
570 ~~representative, except as provided in s. 743.064, s. 766.103, or~~
571 ~~s. 768.13.~~

572 ~~(q) Prescribing, dispensing, administering, mixing, or~~
573 ~~otherwise preparing a legend drug, including any controlled~~
574 ~~substance, other than in the course of the naturopathic~~
575 ~~physician's professional practice. For the purposes of this~~

576 ~~paragraph, it shall be legally presumed that prescribing,~~
577 ~~dispensing, administering, mixing, or otherwise preparing legend~~
578 ~~drugs, including all controlled substances, inappropriately or~~
579 ~~in excessive or inappropriate quantities is not in the best~~
580 ~~interest of the patient and is not in the course of the~~
581 ~~naturopathic physician's professional practice, without regard~~
582 ~~to her or his intent.~~

583 ~~(r) Prescribing, dispensing, or administering any~~
584 ~~medicinal drug appearing on any schedule set forth in chapter~~
585 ~~893 by the naturopathic physician to herself or himself, except~~
586 ~~one prescribed, dispensed, or administered to the naturopathic~~
587 ~~physician by another practitioner authorized to prescribe,~~
588 ~~dispense, or administer medicinal drugs.~~

589 ~~(13)(s)~~ Being unable to practice naturopathic medicine
590 with reasonable skill and safety to patients by reason of
591 illness or use of alcohol, drugs, narcotics, chemicals, or any
592 other type of material or as a result of any mental or physical
593 condition. In enforcing this paragraph, ~~the department shall~~
594 ~~have,~~ upon a finding of the State Surgeon General or the State
595 Surgeon General's designee that probable cause exists to believe
596 that the licensee is unable to serve as a naturopathic doctor
597 due to the reasons stated in this paragraph, the department
598 shall have the authority to issue an order to compel the
599 licensee, authority to compel a naturopathic physician to submit
600 to a mental or physical examination by a physician ~~physicians~~

601 designated by the department. If the licensee does not comply
602 with such order, the department's order directing failure of a
603 naturopathic physician to submit to such an examination may be
604 enforced by filing a petition for enforcement in the circuit
605 court for the county in which the naturopathic doctor resides or
606 does business. The naturopathic doctor against whom the petition
607 is filed may not be named or identified by initials in any
608 public court record or document, and the proceedings must be
609 closed to the public. The department is entitled to the summary
610 procedure provided in s. 51.011 ~~when so directed shall~~
611 ~~constitute an admission of the allegations against her or him~~
612 ~~upon which a default and final order may be entered without the~~
613 ~~taking of testimony or presentation of evidence, unless the~~
614 ~~failure was due to circumstances beyond the naturopathic~~
615 ~~physician's control.~~ A naturopathic doctor subject to an order
616 issued ~~physician affected~~ under this paragraph must, ~~shall~~ at
617 reasonable intervals, be afforded an opportunity to demonstrate
618 that she or he can resume the competent practice of naturopathic
619 medicine with reasonable skill and safety to patients. In any
620 proceeding under this paragraph, neither the record of
621 proceedings nor the orders entered by the department may be used
622 against a naturopathic doctor ~~physician~~ in any other proceeding.

623 (14) (t) Gross or repeated malpractice or the failure to
624 practice naturopathic medicine with that level of care, skill,
625 and treatment which is recognized by a reasonably prudent

626 similar physician as being acceptable under similar conditions
627 and circumstances. ~~The department shall give great weight to the~~
628 ~~provisions of s. 766.102 when enforcing this paragraph.~~

629 ~~(u) Performing any procedure or prescribing any therapy~~
630 ~~which, by the prevailing standards of medical practice in the~~
631 ~~community, constitutes experimentation on a human subject,~~
632 ~~without first obtaining full, informed, and written consent.~~

633 (15)(v) Practicing or offering to practice beyond the
634 scope permitted by law or accepting and performing professional
635 responsibilities which the licensee knows or has reason to know
636 ~~that~~ she or he is not competent to perform.

637 (16)(w) Delegating professional responsibilities to a
638 person when the licensee delegating such responsibilities knows
639 or has reason to know that such person is not qualified by
640 training, experience, or licensure to perform them.

641 (17)(x) Violating a lawful order of the board or the
642 ~~department~~ previously entered in a disciplinary hearing or
643 failing to comply with a lawfully issued subpoena of the board
644 or department.

645 (18)(y) Conspiring with another licensee or with any other
646 person to commit an act, or committing an act, which would tend
647 to coerce, intimidate, or preclude another licensee from
648 lawfully advertising her or his services.

649 (19) Fraud or deceit or gross negligence, incompetence, or
650 misconduct in the operation of a course of study.

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

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

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

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

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

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

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

~~(dd) Prescribing, ordering, dispensing, administering, supplying, selling, or giving growth hormones, testosterone or its analogs, human chorionic gonadotropin (HCG), or other~~

676 ~~hormones for the purpose of muscle building or to enhance~~
677 ~~athletic performance. For the purposes of this subsection, the~~
678 ~~term "muscle building" does not include the treatment of injured~~
679 ~~muscle. A prescription written for the drug products listed~~
680 ~~above may be dispensed by the pharmacist with the presumption~~
681 ~~that the prescription is for legitimate medical use.~~

682 (20) Failing to comply with state, county, or municipal
683 regulations or reporting requirements relating to public health
684 and the control of contagious and infectious diseases.

685 (21)(ee) ~~Violating any provision of this chapter or~~
686 ~~chapter 456, or any rule rules adopted pursuant thereto.~~

687 ~~(2) The department may enter an order denying licensure or~~
688 ~~imposing any of the penalties in s. 456.072(2) against any~~
689 ~~applicant for licensure or licensee who is found guilty of~~
690 ~~violating any provision of subsection (1) of this section or who~~
691 ~~is found guilty of violating any provision of s. 456.072(1).~~

692 ~~(3) The department shall not reinstate the license of a~~
693 ~~naturopathic physician until such time as the department is~~
694 ~~satisfied that such person has complied with all the terms and~~
695 ~~conditions set forth in the final order and that such person is~~
696 ~~capable of safely engaging in the practice of naturopathic~~
697 ~~medicine.~~

698 ~~(4) The department shall by rule establish guidelines for~~
699 ~~the disposition of disciplinary cases involving specific types~~
700 ~~of violations. Such guidelines may include minimum and maximum~~

~~finer, periods of supervision or probation, or conditions of probation or reissuance of a license.~~

Section 14. 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.

11. The Board of Dentistry, created under chapter 466.

12. Midwifery, as provided under chapter 467.

13. The Board of Speech-Language Pathology and Audiology,
created under part I of chapter 468.

14. The Board of Nursing Home Administrators, created
under part II of chapter 468.

15. The Board of Occupational Therapy, created under part
III of chapter 468.

16. Respiratory therapy, as provided under part V of
chapter 468.

17. Dietetics and nutrition practice, as provided under
part X of chapter 468.

18. The Board of Athletic Training, created under part
XIII of chapter 468.

19. The Board of Orthotists and Prosthetists, created
under part XIV of chapter 468.

20. Electrolysis, as provided under chapter 478.

21. The Board of Massage Therapy, created under chapter
480.

22. The Board of Clinical Laboratory Personnel, created
under part I of chapter 483.

23. Medical physicists, as provided under part II of
chapter 483.

24. The Board of Opticianry, created under part I of chapter 484.

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

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

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

28. School psychologists, as provided under chapter 490.

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

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

Section 15. Subsection (2) of section 381.0031, Florida Statutes, is amended to read:

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

(2) Any practitioner licensed in this state to practice medicine, osteopathic medicine, chiropractic medicine, naturopathic medicine ~~naturopathy~~, or veterinary medicine; any licensed pharmacist authorized under a protocol with a supervising physician under s. 465.1895, or a collaborative pharmacy practice agreement, as defined in s. 465.1865, to perform or order and evaluate laboratory and clinical tests; any hospital licensed under part I of chapter 395; or any laboratory

appropriately certified by the Centers for Medicare and Medicaid Services under the federal Clinical Laboratory Improvement Amendments and the federal rules adopted thereunder which diagnoses or suspects the existence of a disease of public health significance shall immediately report the fact to the Department of Health.

Section 16. Subsection (11) of section 468.301, Florida Statutes, is amended to read:

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

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

Section 17. Subsection (1) of section 476.044, Florida Statutes, is amended to read:

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

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

Section 18. Paragraph (a) of subsection (1) of section 477.0135, Florida Statutes, is amended to read:

477.0135 Exemptions.—

(1) This chapter does not apply to the following persons when practicing pursuant to their professional or occupational responsibilities and duties:

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

Section 19. Subsections (2) and (3) of section 485.003, Florida Statutes, are amended to read:

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

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

(3) "Practitioner of the healing arts" shall mean a person licensed under the laws of the state to practice medicine, surgery, psychiatry, dentistry, osteopathic medicine, chiropractic medicine, naturopathic medicine ~~naturopathy~~, podiatric medicine, chiropody, psychology, clinical social work, marriage and family therapy, mental health counseling, or

optometry within the scope of his or her professional training and competence and within the purview of the statutes applicable to his or her respective profession, and who may refer a patient for treatment by a qualified person, who shall employ hypnotic techniques under the supervision, direction, prescription, and responsibility of such referring practitioner.

Section 20. Subsection (1) of section 486.161, Florida Statutes, is amended to read:

486.161 Exemptions.—

(1) ~~No provision of~~ This chapter does not ~~shall be construed to~~ prohibit any person licensed in this state from using any physical agent as a part of, or incidental to, the lawful practice of her or his profession under the statutes applicable to the profession of chiropractic physician, podiatric physician, doctor of medicine, massage therapist, nurse, osteopathic physician or surgeon, occupational therapist, or naturopathic doctor ~~naturopath~~.

Section 21. Paragraph (h) of subsection (4) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

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

(h) As used in this subsection:

1. "Health care provider" means hospitals licensed under chapter 395; physicians licensed under chapter 458; osteopathic

physicians licensed under chapter 459; podiatric physicians licensed under chapter 461; dentists licensed under chapter 466; chiropractic physicians licensed under chapter 460; naturopathic doctors ~~naturopaths~~ licensed under chapter 462; nurses licensed under part I of chapter 464; midwives licensed under chapter 467; physician assistants licensed under chapter 458 or chapter 459; physical therapists and physical therapist assistants licensed under chapter 486; health maintenance organizations certificated under part I of chapter 641; ambulatory surgical centers licensed under chapter 395; other medical facilities as defined in subparagraph 2.; blood banks, plasma centers, industrial clinics, and renal dialysis facilities; or professional associations, partnerships, corporations, joint ventures, or other associations for professional activity by health care providers.

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

3. "Health care facility" means any hospital licensed under chapter 395, health maintenance organization certificated under part I of chapter 641, ambulatory surgical center licensed under chapter 395, or other medical facility as defined in subparagraph 2.

Section 22. Subsection (23) of section 893.02, Florida Statutes, is amended to read:

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

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

Section 23. Paragraph (g) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

HB 223

2026

901 (3) OFFENSE SEVERITY RANKING CHART

902 (g) LEVEL 7

903

Florida Felony

Statute Degree Description

904

316.027(2)(c) 1st Accident involving death,
failure to stop; leaving scene.

905

316.193(3)(c)2. 3rd DUI resulting in serious bodily
injury.

906

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.

907

327.35(3)(a)3.b. 3rd Vessel BUI resulting in serious
bodily injury.

908

402.319(2) 2nd Misrepresentation and

HB 223

2026

negligence or intentional act
resulting in great bodily harm,
permanent disfiguration,
permanent disability, or death.

909

409.920 3rd Medicaid provider fraud;
 (2) (b) 1.a. \$10,000 or less.

910

409.920 2nd Medicaid provider fraud; more
 (2) (b) 1.b. than \$10,000, but less than
 \$50,000.

911

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

912

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

913

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

914

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

HB 223

2026

915	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
916	461.012 (1)	3rd	Practicing podiatric medicine without a license.
917	<u>462.019</u> 462.17	3rd	Practicing <u>naturopathic</u> <u>medicine</u> naturopathy without a license.
918	463.015 (1)	3rd	Practicing optometry without a license.
919	464.016 (1)	3rd	Practicing nursing without a license.
920	465.015 (2)	3rd	Practicing pharmacy without a license.
921	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
922	467.201	3rd	Practicing midwifery without a license.

Page 39 of 60

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb223-00

HB 223

2026

923	468.366	3rd	Delivering respiratory care services without a license.
924	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
925	483.901 (7)	3rd	Practicing medical physics without a license.
926	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
927	484.053	3rd	Dispensing hearing aids without a license.
928	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.
929	560.123 (8) (b) 1.	3rd	Failure to report currency or

Page 40 of 60

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb223-00

HB 223

2026

payment instruments exceeding
\$300 but less than \$20,000 by a
money services business.

930

560.125 (5) (a)

3rd

Money services business by
unauthorized person, currency
or payment instruments
exceeding \$300 but less than
\$20,000.

931

655.50 (10) (b) 1.

3rd

Failure to report financial
transactions exceeding \$300 but
less than \$20,000 by financial
institution.

932

775.21 (10) (a)

3rd

Sexual predator; failure to
register; failure to renew
driver license or
identification card; other
registration violations.

933

775.21 (10) (b)

3rd

Sexual predator working where
children regularly congregate.

934

775.21 (10) (g)

3rd

Failure to report or providing

HB 223

2026

false information about a
sexual predator; harbor or
conceal a sexual predator.

935

782.051(3)

2nd

Attempted felony murder of a
person by a person other than
the perpetrator or the
perpetrator of an attempted
felony.

936

782.07(1)

2nd

Killing of a human being by the
act, procurement, or culpable
negligence of another
(manslaughter).

937

782.071

2nd

Killing of a human being or
unborn child by the operation
of a motor vehicle in a
reckless manner (vehicular
homicide).

938

782.072

2nd

Killing of a human being by the
operation of a vessel in a
reckless manner (vessel
homicide).

HB 223

2026

939	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
940	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
941	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
942	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
943	784.048 (7)	3rd	Aggravated stalking; violation of court order.
944	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
945	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
946	784.08 (2) (a)	1st	Aggravated battery on a person

HB 223

2026

65 years of age or older.

784.081(1)	1st	Aggravated battery on specified official or employee.
------------	-----	---

784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
------------	-----	---

784.083(1)	1st	Aggravated battery on code inspector.
------------	-----	--

787.025(2)(b)	2nd	Luring or enticing a child; second or subsequent offense.
---------------	-----	--

787.025(2)(c)	2nd	Luring or enticing a child with a specified prior conviction.
---------------	-----	--

787.06(3)(a)2. 1st Human trafficking using coercion for labor and services of an adult.

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.

954

790.07(4) 1st Specified weapons violation
subsequent to previous
conviction of s. 790.07(1) or
(2).

955

790.16(1) 1st Discharge of a machine gun
under specified circumstances.

956

790.165(2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.

957

790.165(3) 2nd Possessing, displaying, or
threatening to use any hoax
bomb while committing or
attempting to commit a felony.

958

790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

959

790.166(4) 2nd Possessing, displaying, or
threatening to use a hoax

HB 223

2026

weapon of mass destruction
while committing or attempting
to commit a felony.

960

790.23

1st, PBL

Possession of a firearm by a
person who qualifies for the
penalty enhancements provided
for in s. 874.04.

961

794.08 (4)

3rd

Female genital mutilation;
consent by a parent, guardian,
or a person in custodial
authority to a victim younger
than 18 years of age.

962

796.05 (1)

1st

Live on earnings of a
prostitute; 2nd offense.

963

796.05 (1)

1st

Live on earnings of a
prostitute; 3rd and subsequent
offense.

964

800.04 (5) (c) 1.

2nd

Lewd or lascivious molestation;
victim younger than 12 years of
age; offender younger than 18

years of age.

965

800.04 (5) (c) 2. 2nd Lewd or lascivious molestation;
victim 12 years of age or older
but younger than 16 years of
age; offender 18 years of age
or older.

966

800.04 (5) (e) 1st Lewd or lascivious molestation;
victim 12 years of age or older
but younger than 16 years;
offender 18 years or older;
prior conviction for specified
sex offense.

967

806.01 (2) 2nd Maliciously damage structure by
fire or explosive.

968

810.02 (3) (a) 2nd Burglary of occupied dwelling;
unarmed; no assault or battery.

969

810.02 (3) (b) 2nd Burglary of unoccupied
dwelling; unarmed; no assault
or battery.

970

HB 223

2026

971	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
972	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
973	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.
974	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
975	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from

Page 48 of 60

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb223-00

HB 223

2026

authorized emergency vehicle.

976

812.014 (2) (g)

2nd

Grand theft; second degree;
firearm with previous
conviction of s.
812.014 (2) (c) 5.

977

812.0145 (2) (a)

1st

Theft from person 65 years of
age or older; \$50,000 or more.

978

812.019 (2)

1st

Stolen property; initiates,
organizes, plans, etc., the
theft of property and traffics
in stolen property.

979

812.131 (2) (a)

2nd

Robbery by sudden snatching.

980

812.133 (2) (b)

1st

Carjacking; no firearm, deadly
weapon, or other weapon.

981

817.034 (4) (a) 1.

1st

Communications fraud, value
greater than \$50,000.

982

817.234 (8) (a)

2nd

Solicitation of motor vehicle
accident victims with intent to

HB 223

2026

defraud.

983

817.234 (9)

2nd

Organizing, planning, or
participating in an intentional
motor vehicle collision.

984

817.234 (11) (c)

1st

Insurance fraud; property value
\$100,000 or more.

985

817.2341

1st

(2) (b) &
(3) (b)

Making false entries of
material fact or false
statements regarding property
values relating to the solvency
of an insuring entity which are
a significant cause of the
insolvency of that entity.

986

817.418 (2) (a)

3rd

Offering for sale or
advertising personal protective
equipment with intent to
defraud.

987

817.504 (1) (a)

3rd

Offering or advertising a
vaccine with intent to defraud.

988

HB 223

2026

989	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
990	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
991	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
992	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.
993	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
994	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.

HB 223

2026

995	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
996	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
997	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
998	838.015	2nd	Bribery.
999	838.016	2nd	Unlawful compensation or reward for official behavior.
1000	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1001	838.22	2nd	Bid tampering.
	843.0855 (2)	3rd	Impersonation of a public officer or employee.

Page 52 of 60

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb223-00

HB 223

2026

1002	843.0855 (3)	3rd	Unlawful simulation of legal process.
1003	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1004	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1005	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1006	872.06	2nd	Abuse of a dead human body.
1007	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1008	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

Page 53 of 60

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb223-00

HB 223

2026

1009	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
1010	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.
1011	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.

Page 54 of 60

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb223-00

HB 223

2026

1012	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1013	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1014	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1015	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1016	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
1017	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.

1018

HB 223

2026

1019	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1020	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
1021	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
1022	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
1023	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
1024	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
	893.135	1st	Trafficking in gamma-

HB 223

2026

1025	(1) (h) 1.a.		hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
	893.135	1st	Trafficking in 1,4-Butanediol,
	(1) (j) 1.a.		1 kilogram or more, less than 5 kilograms.
1026			
	893.135	1st	Trafficking in Phenethylamines,
	(1) (k) 2.a.		10 grams or more, less than 200 grams.
1027			
	893.135	1st	Trafficking in synthetic
	(1) (m) 2.a.		cannabinoids, 280 grams or more, less than 500 grams.
1028			
	893.135	1st	Trafficking in synthetic
	(1) (m) 2.b.		cannabinoids, 500 grams or more, less than 1,000 grams.
1029			
	893.135	1st	Trafficking in n-benzyl
	(1) (n) 2.a.		phenethylamines, 14 grams or more, less than 100 grams.
1030			
	893.1351 (2)	2nd	Possession of place for

HB 223

2026

1031			trafficking in or manufacturing of controlled substance.
	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1032			
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1033			
	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1034			
	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1035			
	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting

Page 58 of 60

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb223-00

HB 223

2026

1036			requirements.
	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1037			
	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1038			
	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
1039			
	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1040			
	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

Page 59 of 60

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb223-00

HB 223

2026

1041	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1042	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1043	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1044	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1045			
1046	Section 24. This act shall take effect December 31, 2026.		