

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [HB 301](#)

**TITLE:** Advanced Practice Registered Nurse  
Autonomous Practice  
**SPONSOR(S):** Shoaf

**COMPANION BILL:** [SB 138](#) (Truenow)

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Health Professions & Programs](#)

14 Y, 4 N

[Health & Human Services](#)

18 Y, 5 N

## SUMMARY

### Effect of the Bill:

The bill authorizes psychiatric nurses registered for autonomous practice to engage in the practice of psychiatric mental health services, as determined by the Board of Nursing, without an established physician protocol.

### Fiscal or Economic Impact:

The bill has an insignificant, negative fiscal impact on the state government. See Fiscal or Economic Impact.

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## ANALYSIS

### EFFECT OF THE BILL:

#### [Advanced Practice Registered Nurses](#)

The bill authorizes [autonomous](#) advanced practice registered nurses, who specialize in psychiatry, to engage in the practice of psychiatric mental health services, as defined by the Board of Nursing, without an established physician protocol. This removes the current restriction that psychiatric nurses can only practice autonomously in primary care services. The bill will eliminate the cost of supervision for autonomous psychiatric nurses which may increase access to care and reduce health care costs. (Section [1](#))

The bill provides an effective date of July 1, 2026. (Section [2](#))

### FISCAL OR ECONOMIC IMPACT:

#### STATE GOVERNMENT:

The Department of Health (DOH) estimates the cost to comply with the bill is \$94,911 (\$88,974/recurring, \$5,937/nonrecurring).<sup>1</sup>

Currently, 5,679 advanced practice registered nurses (APRNs) hold a psychiatric certification, DOH estimates 5,679<sup>2</sup> may apply for autonomous psychiatric certification. Based on this, DOH will require one additional full-time equivalent at an estimated cost as follows:<sup>3</sup>

- Salary (010000): \$81,760

<sup>1</sup> Department of Health, *2026 Agency Legislative Bill Analysis on HB 301*, on file with the Health Professions & Programs Subcommittee.

<sup>2</sup> *Id.* As of July 1, 2025, 1,802 psychiatric nurses were registered for autonomous practice.

<sup>3</sup> *Id.*

**STORAGE NAME:** h0301c.HHS

**DATE:** 1/21/2026

- Expense (040000): \$6,862/Recurring \$5,937/Non-Recurring
- HR (107040): \$352/Recurring

These costs can be absorbed within current resources.

#### PRIVATE SECTOR:

Autonomous APRNs who hold a psychiatric certification will achieve cost-savings since supervision will no longer be required. Consumers may experience greater access to psychiatric nursing services.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Advanced Practice Registered Nurses

An advanced practice registered nurse (APRN) is a registered nurse, who is additionally licensed in an advanced nursing practice, including certified nurse midwives, certified nurse practitioners, certified registered nurse anesthetists, clinical nurse specialists, and psychiatric nurses.<sup>4</sup> Currently, there are approximately 66,600 APRNs licensed to practice in Florida.<sup>5</sup>

APRNs are regulated under part I of ch. [464, F.S.](#), the Nurse Practice Act. The Board of Nursing (BON), housed within the Department of Health, is responsible for establishing by rule the eligibility criteria for applicants to be licensed as APRNs and the applicable regulatory standards for APRN nursing practices.<sup>6</sup> The BON is also responsible for disciplining an APRN who violates the practice act.<sup>7</sup>

To be eligible for licensure as an APRN, an applicant must apply and provide proof that he or she;<sup>8</sup>

- Holds a current license to practice professional nursing or holds an active multistate license to practice professional nursing under the Nurse Licensure Compact;
- Is certified by the appropriate specialty board; and
- Has a master's degree in a clinical nursing specialty area with preparation in specialized practitioner skills.

In addition to the practice of professional nursing,<sup>9</sup> APRNs perform advanced-level nursing acts approved by the BON as appropriate for APRNs to perform by virtue of their post-basic, specialized education, training, and experience. APRNs may only perform advanced nursing and medical acts only to the extent that the written protocol allows, unless the APRN is registered for autonomous practice under [s. 464.0123, F.S.](#)<sup>10</sup>

#### **Autonomous Advanced Practice Registered Nurse**

### Eligibility

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<sup>4</sup> S. [464.003\(3\), F.S.](#) In 2018, the Florida Legislature enacted a law which changed the occupational title from "Advanced Registered Nurse Practitioner (APRN)" to "Advanced Practice Registered Nurse (APRN)," and also reclassified a Clinical Nurse Specialist as a type of APRN instead of a stand-alone occupation (see ch. 2018-106, Laws of Fla.).

<sup>5</sup> *Supra* note 1.

<sup>6</sup> S. [464.004, F.S.](#)

<sup>7</sup> S. [464.018, F.S.](#)

<sup>8</sup> S. [464.012\(1\), F.S.](#) and Rule 64B9-4.002, F.A.C.

<sup>9</sup> "Practice of professional nursing" means the performance of those acts requiring substantial specialized knowledge, judgment, and nursing skill based upon applied principles of psychological, biological, physical, and social sciences. See [s. 464.003\(19\), F.S.](#)

<sup>10</sup> ss. [464.003, F.S.](#) and [464.012, F.S.](#)

Current law authorizes an APRN who meets certain eligibility criteria to register for “autonomous” practice, wherein they may then perform specified health care services without a physician’s written protocol.<sup>11</sup> To engage in autonomous practice, an APRN must hold active and unencumbered Florida license, or multi-state license,<sup>12</sup> and have:<sup>13</sup>

- Completed at least 3,000 clinical practice hours or clinical instructional hours supervised by a physician with an active license within the five-year period immediately preceding the registration request;
- Not have been subject to any disciplinary action during the five years immediately preceding the application;
- Completed three graduate-level semester hours, or the equivalent, in pharmacology and three graduate-level semester hours, or the equivalent, in differential diagnosis within the five-year period preceding the registration request;<sup>14</sup> and
- Any other registration requirements provided by BON rule.

The registration must be renewed biennially and the renewal coincides with the licensure renewal period for the APRN. There are currently 14,601 APRNs registered for autonomous practice in Florida, including 1,802 psychiatric nurses.<sup>15</sup>

## Scope of Practice

Autonomous APRNs may engage in autonomous practice only in primary care practice, which includes family medicine, general pediatrics, and general internal medicine, and general APRN functions as related to primary care.<sup>16</sup> The BON has defined primary care by rule to include the “physical and mental health promotion, assessment, evaluation, disease prevention, health maintenance, counseling, patient education, diagnosis and treatment of acute and chronic illnesses, inclusive of behavioral and mental health conditions.”<sup>17</sup>

Autonomous APRNs are authorized to admit patients to a health care facility, manage the patient’s care in such facility, and discharge the patient from the facility unless otherwise prohibited by federal law or rule.<sup>18</sup> An autonomous APRN may also provide any signature or other affirmation that is otherwise required by law to be provided by a physician.<sup>19</sup>

All APRN specialties are eligible for autonomous practice, however, only certified midwives are currently authorized to practice any specific functions related to their specialty area without an established physician protocol when registered for autonomous practice.<sup>20</sup>

## Psychiatric Nurses

<sup>11</sup> [S. 464.0123, F.S.](#)

<sup>12</sup> S. [464.0095, F.S.](#) A multi-state license allows APRNs to practice in all states that are part of the Nurse Licensure Compact

<sup>13</sup> S. [464.0123, F.S.](#)

<sup>14</sup> See Rule 64B9-4.020(3), F.A.C.; The Board of Nursing (BON) has defined the equivalent of three graduate-level semester hours in pharmacology and the equivalent of three graduate-level semester hours in differential diagnosis as equal to forty-five (45) Continuing Education credits offered in those areas by the entities set forth in Section [464.013\(3\)\(b\), F.S.](#) and Fla. Admin. Code R. 64B9-4.002(2), (2023).

<sup>15</sup> *Supra* note 1.

<sup>16</sup> [S. 464.0123, F.S.](#)

<sup>17</sup> Rule 64B9-4.001(12), F.A.C.

<sup>18</sup> S. [464.0123\(3\), F.S.](#)

<sup>19</sup> S. [464.0123\(3\), F.S.](#); An autonomous APRN may not provide the physician certification required under [S. 381.986, F.S.](#), as a perquisite for obtaining medical marijuana.

<sup>20</sup> [S. 464.0123, F.S.](#), F.S. Autonomous Certified Nurse Midwives practicing under this section must have a written patient transfer agreement with a hospital and a written patient referral agreement with a physician licensed under chs. 458 or 459, F.S.

Psychiatric nurses are licensed APRNs who hold a master's or doctoral degree in psychiatric nursing and a national advanced practice certification as a psychiatric mental health advanced practice nurse.<sup>21</sup> Psychiatric nurses are trained with a clinical focus on individuals, families, or populations across the lifespan at risk for developing mental problems or having a psychiatric diagnosis. Psychiatric nurses receive training in psychiatric assessment and diagnosis, advanced clinical management of psychiatric disorders, including the prescription and management of psychotropic medications, and therapy modalities.<sup>22</sup>

For licensure as a psychiatric nurse, the applicant must hold one of the following certifications recognized by the BON:<sup>23</sup>

- Psychiatric Mental Health Nurse Practitioner Certification;
- Family Psychiatric and Mental Health Nurse Practitioner;
- Adult Psychiatric and Mental Health Nurse Practitioner; or
- Psychiatric Adult Clinical Nurse Specialist.

Under current law, a psychiatric nurse that has two years of post-master's clinical experience under the supervision of a physician may, within an established psychiatrist's protocol, prescribe psychotropic controlled substances for the treatment of mental disorders.<sup>24</sup> A psychiatric nurse with such experience may also initiate an involuntary examination and provide related services as permitted under the Florida Mental Health Act.<sup>25</sup>

Psychiatric nurses may only autonomously provide primary care-related services and must still adhere to an established protocol with a psychiatrist when performing acts related to psychiatric mental health treatment.<sup>26</sup> There are 5,679 psychiatric nurses currently registered to practice in Florida, of which 1,802 are registered for primary care autonomous practice.<sup>27</sup>

#### RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2025	<a href="#">HB 883</a> - Advanced Practice Registered Nurse Autonomous Practice	Shoaf/ <i>Simon</i>	Died in Senate
2024	<a href="#">HB 771</a> - Autonomous Practice for Certified Psychiatric Nurses	Barnaby/ <i>Rodriguez</i>	Died in House
2023	<a href="#">HB 1067</a> - Autonomous Practice by an Advanced Practice Registered Nurse	Giallombardo/ <i>Rodriguez</i>	Died in House
2021	<a href="#">HB 111</a> - Autonomous Practice by an Advanced Practice Registered Nurse	Maggard/ <i>Brandes</i>	Died in House

<sup>21</sup> [s. 464.0123, F.S.](#)

<sup>22</sup> University of Florida, College of Nursing, *Psychiatric-Mental Health Nurse Practitioners*. Available at <https://nursing.ufl.edu/programs/doctor-of-nursing-practice-dnp/bsn-to-dnp/psychiatric-mental-health-nurse-practitioner/#:~:text=The%20psychiatric%2Dmental%20health%20nurse,or%20having%20a%20psychiatric%20diagnosis>. (last visited November 17, 2025).

<sup>23</sup> Rule 64B9-4.002, F.A.C.; To be recognized by the BON, a specialty board must attest to the competency of nurses in the clinical specialty area, identify standards or scope of practice statements as appropriate for the specialty, require a written examination for certification, and require completion of a formal program prior to eligibility of examination.

<sup>24</sup> [s. 394.455, F.S.](#) and [464.012\(4\)\(e\), F.S.](#)

<sup>25</sup> S. [394.463\(2\)\(a\), F.S.](#); The Florida Mental Health Act is also known as the Baker Act.

<sup>26</sup> See, [s. 464.012, F.S.](#) [394.463\(2\)\(f\), F.S.](#)

<sup>27</sup> *Supra* note 1.

**BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Health Professions &amp; Programs Subcommittee</a>	14 Y, 4 N	1/14/2026	McElroy	Clenord
<a href="#">Health &amp; Human Services Committee</a>	18 Y, 5 N	1/21/2026	Calamas	Clenord