

1 A bill to be entitled
2 An act relating to the Department of Health; amending
3 s. 381.4019, F.S.; revising the definition of the term
4 "dental health professional shortage area"; defining
5 the term "low-income"; deleting the definition of the
6 term "medically underserved area"; revising
7 eligibility requirements for dentists and dental
8 hygienists participating in the Dental Student Loan
9 Repayment Program; amending s. 381.986, F.S.; revising
10 the definition of the term "low-THC cannabis";
11 revising requirements for department approval of
12 qualified physicians and medical directors of medical
13 marijuana treatment centers; deleting obsolete
14 language; creating s. 381.994, F.S.; creating the
15 Neurofibromatosis Disease Grant Program within the
16 Department of Health; providing purpose of the
17 program; requiring, subject to appropriation, the
18 program to award certain grants; providing
19 requirements for grant applications; requiring the
20 Rare Disease Advisory Council and the peer review
21 panels to establish and follow specified guidelines;
22 prohibiting members of the council and panels from
23 participating in certain discussions and decisions
24 under certain circumstances; authorizing certain
25 appropriation funds to be carried forward under

26 | certain circumstances; amending s. 383.14, F.S.;

27 | beginning on a specified date, subject to

28 | appropriation, requiring the department require

29 | newborns be screened for infantile Krabbe disease;

30 | requiring the Department of Health to create a

31 | pamphlet; providing instruction on the contents that

32 | must be included in the pamphlet; amending s. 391.308,

33 | F.S.; revising duties of the department in

34 | administering the Early Steps Program; revising

35 | provisions related to transitioning children from the

36 | Early Steps Program to school district programs;

37 | amending s. 391.3081, F.S.; revising provisions

38 | relating to the Early Steps Extended Option to conform

39 | to changes made by the act; amending s. 395.4025,

40 | F.S.; requiring the department to designate certain

41 | facilities as pediatric trauma centers; amending s.

42 | 456.072, F.S.; revising grounds for certain

43 | disciplinary actions; amending s. 456.074, F.S.;

44 | requiring the department to issue an emergency order

45 | suspending the license of a health care practitioner

46 | arrested for committing or attempting, soliciting, or

47 | conspiring to commit murder in this state or another

48 | jurisdiction; amending s. 464.0156, F.S.; authorizing

49 | a registered nurse to delegate the administration of

50 | certain controlled substances to a home health aide

51 for medically fragile children under certain
52 circumstances; amending s. 466.023, F.S.; allowing
53 dental hygienists to use certain tools under the
54 direct supervision of a dentist; amending s. 491.005,
55 F.S.; revising the deadline for program accreditation;
56 amending s. 741.21, F.S.; prohibiting marriage between
57 certain related individuals; amending s. 766.1115,
58 F.S.; revising the definition of "health care
59 provider" or "provider" to include certain students;
60 amending s. 1004.551, F.S.; revising requirements for
61 the micro-credential component of specialized training
62 provided by the University of Florida Center for
63 Autism and Neurodevelopment; amending s. 381.986,
64 F.S.; extending the exemption of certain rules
65 pertaining to the medical use of marijuana from
66 certain rulemaking requirements; amending ch. 2017-
67 232, Laws of Florida; exempting certain rules
68 pertaining to medical marijuana adopted to replace
69 emergency rules from specified rulemaking
70 requirements; providing for the future expiration and
71 reversion of specified statutory text; providing an
72 effective date.

73
74 Be It Enacted by the Legislature of the State of Florida:
75

76 **Section 1. Paragraphs (a) and (e) of subsection (1),**
77 **paragraphs (a) and (b) of subsection (2), and paragraph (b) of**
78 **subsection (4) of section 381.4019, Florida Statutes, are**
79 **amended to read:**

80 381.4019 Dental Student Loan Repayment Program.—The Dental
81 Student Loan Repayment Program is established to support the
82 state Medicaid program and promote access to dental care by
83 supporting qualified dentists and dental hygienists who treat
84 medically underserved populations in dental health professional
85 shortage areas or medically underserved areas.

86 (1) As used in this section, the term:

87 (a) "Dental health professional shortage area" means a
88 geographic area, an area with a special population, or a
89 facility designated as such by the Health Resources and Services
90 Administration of the United States Department of Health and
91 Human Services.

92 (e) "Low-income," with respect to a person, means a person
93 who meets the criteria specified in s. 766.1115(3)(e) ~~"Medically~~
94 ~~underserved area" means a geographic area, an area having a~~
95 ~~special population, or a facility which is designated by~~
96 ~~department rule as a health professional shortage area as~~
97 ~~defined by federal regulation and which has a shortage of dental~~
98 ~~health professionals who serve Medicaid recipients and other~~
99 ~~low-income patients.~~

100 (2) The department shall establish a dental student loan

101 repayment program to benefit Florida-licensed dentists and
 102 dental hygienists who:

103 (a) Demonstrate, as required by department rule, active
 104 employment in a public health program or private practice that
 105 serves ~~Medicaid recipients and other~~ low-income patients and is
 106 located in a dental health professional shortage area ~~or a~~
 107 ~~medically underserved area~~; and

108 (b) Volunteer 25 hours per year providing dental services
 109 in a free clinic that is located in a dental health professional
 110 shortage area or ~~a medically underserved area~~, through another
 111 volunteer program operated under ~~by the state pursuant to~~ part
 112 IV of chapter 110, or through a pro bono program approved by the
 113 Board of Dentistry. In order to meet the requirements of this
 114 paragraph, the volunteer hours must be verifiable in a manner
 115 determined by the department.

116 (4) A dentist or dental hygienist is not eligible to
 117 receive funds under the loan program if the dentist or dental
 118 hygienist:

119 (b) Ceases to provide services to low-income patients
 120 ~~participate in the Florida Medicaid program.~~

121 **Section 2. Paragraph (f) of subsection (1), paragraphs (a)**
 122 **and (c) of subsection (3), paragraph (h) of subsection (4), and**
 123 **paragraph (a) of subsection (8) of section 381.986, Florida**
 124 **Statutes, are amended to read:**

125 381.986 Medical use of marijuana.—

126 (1) DEFINITIONS.—As used in this section, the term:
 127 (f) "Low-THC cannabis" means a plant of the genus
 128 *Cannabis*, whether growing or not ~~the dried flowers of which~~
 129 ~~contain 0.8 percent or less of tetrahydrocannabinol and more~~
 130 ~~than 10 percent of cannabidiol weight for weight; the seeds~~
 131 ~~thereof; the resin extracted from any part of such plant; and~~
 132 every ~~or any~~ compound, manufacture, salt, derivative, mixture,
 133 or preparation of such plant or its seeds or resin, excluding
 134 edibles; which contains 0.8 percent or less of
 135 tetrahydrocannabinol and more than 2 percent cannabidiol, weight
 136 for weight, which ~~that~~ is dispensed from a medical marijuana
 137 treatment center.

138 (3) QUALIFIED PHYSICIANS AND MEDICAL DIRECTORS.—
 139 (a) Before being approved as a qualified physician ~~and~~
 140 ~~before each license renewal~~, a physician must successfully
 141 complete a 2-hour course and subsequent examination offered by
 142 the Florida Medical Association or the Florida Osteopathic
 143 Medical Association which encompass the requirements of this
 144 section and any rules adopted hereunder. Qualified physicians
 145 must renew the course certification biennially. The course and
 146 examination must be administered at least annually and may be
 147 offered in a distance learning format, including an electronic,
 148 online format that is available upon request. The price of the
 149 course may not exceed \$500.

150 (c) Before being employed as a medical director ~~and before~~

151 ~~each license renewal~~, a medical director must successfully
152 complete a 2-hour course and subsequent examination offered by
153 the Florida Medical Association or the Florida Osteopathic
154 Medical Association which encompass the requirements of this
155 section and any rules adopted hereunder. Medical directors must
156 renew the course certification biennially. The course and
157 examination must be administered at least annually and may be
158 offered in a distance learning format, including an electronic,
159 online format that is available upon request. The price of the
160 course may not exceed \$500.

161 (4) PHYSICIAN CERTIFICATION.—

162 ~~(h) An active order for low-THC cannabis or medical~~
163 ~~cannabis issued pursuant to former s. 381.986, Florida Statutes~~
164 ~~2016, and registered with the compassionate use registry before~~
165 ~~June 23, 2017, is deemed a physician certification, and all~~
166 ~~patients possessing such orders are deemed qualified patients~~
167 ~~until the department begins issuing medical marijuana use~~
168 ~~registry identification cards.~~

169 (8) MEDICAL MARIJUANA TREATMENT CENTERS.—

170 (a) The department shall license medical marijuana
171 treatment centers to ensure reasonable statewide accessibility
172 and availability as necessary for qualified patients registered
173 in the medical marijuana use registry and who are issued a
174 physician certification under this section.

175 1. As soon as practicable, but no later than July 3, 2017,

176 the department shall license as a medical marijuana treatment
177 center any entity that holds an active, unrestricted license to
178 cultivate, process, transport, and dispense low-THC cannabis,
179 medical cannabis, and cannabis delivery devices, under former s.
180 381.986, Florida Statutes 2016, before July 1, 2017, and which
181 meets the requirements of this section. In addition to the
182 authority granted under this section, these entities are
183 authorized to dispense low-THC cannabis, medical cannabis, and
184 cannabis delivery devices ordered pursuant to former s. 381.986,
185 Florida Statutes 2016, ~~which were entered into the compassionate~~
186 ~~use registry before July 1, 2017,~~ and are authorized to begin
187 dispensing marijuana under this section on July 3, 2017. The
188 department may grant variances from the representations made in
189 such an entity's original application for approval under former
190 s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

191 2. The department shall license as medical marijuana
192 treatment centers 10 applicants that meet the requirements of
193 this section, under the following parameters:

194 a. As soon as practicable, but no later than August 1,
195 2017, the department shall license any applicant whose
196 application was reviewed, evaluated, and scored by the
197 department and which was denied a dispensing organization
198 license by the department under former s. 381.986, Florida
199 Statutes 2014; which had one or more administrative or judicial
200 challenges pending as of January 1, 2017, or had a final ranking

201 within one point of the highest final ranking in its region
202 under former s. 381.986, Florida Statutes 2014; which meets the
203 requirements of this section; and which provides documentation
204 to the department that it has the existing infrastructure and
205 technical and technological ability to begin cultivating
206 marijuana within 30 days after registration as a medical
207 marijuana treatment center.

208 b. As soon as practicable, the department shall license
209 one applicant that is a recognized class member of *Pigford v.*
210 *Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers*
211 *Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011). An applicant licensed
212 under this sub-subparagraph is exempt from the requirement of
213 subparagraph (b)2. An applicant that applies for licensure under
214 this sub-subparagraph, pays its initial application fee, is
215 determined by the department through the application process to
216 qualify as a recognized class member, and is not awarded a
217 license under this sub-subparagraph may transfer its initial
218 application fee to one subsequent opportunity to apply for
219 licensure under subparagraph 4.

220 c. As soon as practicable, but no later than October 3,
221 2017, the department shall license applicants that meet the
222 requirements of this section in sufficient numbers to result in
223 10 total licenses issued under this subparagraph, while
224 accounting for the number of licenses issued under sub-
225 subparagraphs a. and b.

226 3. For up to two of the licenses issued under subparagraph
 227 2., the department shall give preference to applicants that
 228 demonstrate in their applications that they own one or more
 229 facilities that are, or were, used for the canning,
 230 concentrating, or otherwise processing of citrus fruit or citrus
 231 molasses and will use or convert the facility or facilities for
 232 the processing of marijuana.

233 4. Within 6 months after the registration of 100,000
 234 active qualified patients in the medical marijuana use registry,
 235 the department shall license four additional medical marijuana
 236 treatment centers that meet the requirements of this section.
 237 Thereafter, the department shall license four medical marijuana
 238 treatment centers within 6 months after the registration of each
 239 additional 100,000 active qualified patients in the medical
 240 marijuana use registry that meet the requirements of this
 241 section.

242 **Section 3. Section 381.994, Florida Statutes, is created**
 243 **to read:**

244 381.994 Neurofibromatosis Disease Grant Program.—

245 (1) (a) There is created within the Department of Health
 246 the Neurofibromatosis Disease Grant Program. The purpose of the
 247 program is to advance the progress of research and cures for
 248 neurofibromatosis by awarding grants through a competitive,
 249 peer-reviewed process.

250 (b) Subject to legislative appropriation, the program

251 shall award grants for scientific and clinical research to
252 further the search for new diagnostics, treatments, and cures
253 for neurofibromatosis.

254 (2) (a) Applications for grants for neurofibromatosis
255 disease research may be submitted by any university or
256 established research institute in the state. All qualified
257 investigators in the state, regardless of institutional
258 affiliation, shall have equal access and opportunity to compete
259 for the research funding. Preference may be given to grant
260 proposals that foster collaboration among institutions,
261 researchers, and community practitioners, as such proposals
262 support the advancement of treatments and cures of
263 neurofibromatosis through basic or applied research. Grants
264 shall be awarded by the department, after consultation with the
265 Rare Disease Advisory Council, pursuant to s. 381.99, on the
266 basis of scientific merit, as determined by the competitive,
267 peer-reviewed process to ensure objectivity, consistency, and
268 high quality. The following types of applications may be
269 considered for funding:

- 270 1. Investigator-initiated research grants.
- 271 2. Institutional research grants.
- 272 3. Collaborative research grants, including those that
273 advance the finding of treatment and cures through basic or
274 applied research.

275 (b) To ensure appropriate and fair evaluation of grant

276 applications based on scientific merit, the department shall
277 appoint peer review panels of independent, scientifically
278 qualified individuals to review the scientific merit of each
279 proposal and establish its priority score. The priority scores
280 shall be forwarded to the council and must be considered in
281 determining which proposals shall be recommended for funding.

282 (3) The Rare Disease Advisory Council and the peer review
283 panels shall establish and follow rigorous guidelines for
284 ethical conduct and adhere to a strict policy with regard to
285 conflicts of interest. A member of the council or panel may not
286 participate in any discussion or decision of the council or
287 panel with respect to a research proposal by any firm, entity,
288 or agency that the member is associated with as a member of the
289 governing body or as an employee or with which the member has
290 entered into a contractual arrangement.

291 (4) Notwithstanding s. 216.301 and pursuant to s. 216.351,
292 the balance of any appropriation from the General Revenue Fund
293 for the Neurofibromatosis Disease Grant Program that is not
294 disbursed but that is obligated pursuant to contract or
295 committed to be expended by June 30 of the fiscal year in which
296 the funds are appropriated may be carried forward for up to 5
297 years after the effective date of the original.

298 **Section 4. Paragraph (a) of subsection (2) of section**
299 **383.14, Florida Statutes, is amended, and paragraph (i) is added**
300 **to subsection (3) of that section, to read:**

301 383.14 Screening for metabolic disorders, other hereditary
302 and congenital disorders, and environmental risk factors.—

303 (2) RULES.—

304 (a) After consultation with the Genetics and Newborn
305 Screening Advisory Council, the department shall adopt and
306 enforce rules requiring that every newborn in this state shall:

307 1. Before becoming 1 week of age, have a blood specimen
308 collected for newborn screenings;

309 2. Be tested for any condition included on the federal
310 Recommended Uniform Screening Panel which the council advises
311 the department should be included under the state's screening
312 program. After the council recommends that a condition be
313 included, the department shall submit a legislative budget
314 request to seek an appropriation to add testing of the condition
315 to the newborn screening program. The department shall expand
316 statewide screening of newborns to include screening for such
317 conditions within 18 months after the council renders such
318 advice, if a test approved by the United States Food and Drug
319 Administration or a test offered by an alternative vendor is
320 available. If such a test is not available within 18 months
321 after the council makes its recommendation, the department shall
322 implement such screening as soon as a test offered by the United
323 States Food and Drug Administration or by an alternative vendor
324 is available;

325 3. At the appropriate age, be tested for such other

326 metabolic diseases and hereditary or congenital disorders as the
327 department may deem necessary; ~~and~~

328 4. Subject to legislative appropriation, beginning January
329 1, 2027, be screened for infantile Krabbe disease; and

330 ~~5.4.~~ Subject to legislative appropriation, beginning
331 January 1, 2027, be screened for Duchenne muscular dystrophy.

332 (3) DEPARTMENT OF HEALTH; POWERS AND DUTIES.—The
333 department shall administer and provide certain services to
334 implement the provisions of this section and shall:

335 (i) Create an evidence-based, educational pamphlet on the
336 nutritional needs of preterm infants for parents and guardians
337 of infants receiving care in a neonatal intensive care unit. By
338 January 1, 2027, the department must make the pamphlet available
339 electronically to hospitals licensed under chapter 395 to
340 provide neonatal intensive care services. The pamphlet must
341 include, but is not limited to, information related to preterm
342 infants on the following subjects:

343 1. The specific nutritional needs of preterm infants;

344 2. The health risks associated with nutritional deficits
345 and the potential need for nutritional supplementation;

346 3. Different nutritional sources for infants, including
347 maternal breast milk, pasteurized human donor milk, infant
348 formula, human-milk-derived fortifiers, and bovine-milk-derived
349 fortifiers, and the recommended uses for each;

350 4. The importance of maternal breast milk for meeting the

351 nutritional and developmental needs of infants, and the
 352 alternative of pasteurized human donor milk if maternal breast
 353 milk is not available;

354 5. The potential risks associated with the use of infant
 355 formula, including preterm infant formula, as a sole or primary
 356 nutrition source; and

357 6. Necrotizing enterocolitis, the risk factors for
 358 necrotizing enterocolitis, and the potential for a human-milk-
 359 based diet, including maternal and pasteurized donor breast milk
 360 and human-milk-derived infant fortifiers, to reduce the risk of
 361 necrotizing enterocolitis.

362
 363 All provisions of this subsection must be coordinated with the
 364 provisions and plans established under this chapter, chapter
 365 411, and Pub. L. No. 99-457.

366 **Section 5. Paragraphs (a) and (j) of subsection (2) and**
 367 **paragraphs (a) and (b) of subsection (7) of section 391.308,**
 368 **Florida Statutes, are amended to read:**

369 391.308 Early Steps Program.—The department shall
 370 implement and administer part C of the federal Individuals with
 371 Disabilities Education Act (IDEA), which shall be known as the
 372 "Early Steps Program."

373 (2) DUTIES OF THE DEPARTMENT.—The department shall:

374 (a) Annually prepare a grant application to the Federal
 375 Government requesting the United States Department of Education

376 ~~for~~ funding for early intervention services for infants and
 377 toddlers with disabilities and their families pursuant to part C
 378 of the federal Individuals with Disabilities Education Act.

379 (j) Establish procedures for dispute resolution and
 380 mediation as outlined in part C of the federal Individuals with
 381 Disabilities Education Act ~~Provide a mediation process and if~~
 382 ~~necessary, an appeals process for applicants found ineligible~~
 383 ~~for developmental evaluation or early intervention services or~~
 384 ~~denied financial support for such services.~~

385 (7) TRANSITION TO EDUCATION.—

386 (a) The department shall establish statewide uniform
 387 protocols and procedures for transition to a school district
 388 program for children with disabilities or to another program as
 389 part of an individual family support plan pursuant to part C of
 390 the federal Individuals with Disabilities Education Act. ~~At~~
 391 ~~least 90 days before a child reaches 3 years of age, the local~~
 392 ~~program office shall initiate transition planning to ensure the~~
 393 ~~child's successful transition from the Early Steps Program to a~~
 394 ~~school district program for children with disabilities or to~~
 395 ~~another program as part of an individual family support plan.~~

396 ~~(b) At least 90 days before a child reaches 3 years of~~
 397 ~~age, the local program office shall:~~

398 1. ~~Notify the local school district in which the child~~
 399 ~~resides and the Department of Education that the child may be~~
 400 ~~eligible for special education or related services as determined~~

401 ~~by the local school district pursuant to ss. 1003.21 and~~
402 ~~1003.57, unless the child's parent or legal guardian has opted~~
403 ~~out of such notification; and~~

404 ~~2. Upon approval by the child's parent or legal guardian,~~
405 ~~convene a transition conference that includes participation of a~~
406 ~~local school district representative and the parent or legal~~
407 ~~guardian to discuss options for and availability of services.~~

408 **Section 6. Subsection (5) of section 391.3081, Florida**
409 **Statutes, is amended to read:**

410 391.3081 Early Steps Extended Option.—

411 (5) TRANSITION TO EDUCATION.—The department shall
412 establish statewide uniform protocols and procedures for
413 transition to a school district program for children with
414 disabilities or to another program as part of an individual
415 family support plan pursuant to part C of the federal
416 Individuals with Disabilities Education Act.

417 ~~(a) At least 90 days before the beginning of the school~~
418 ~~year following the fourth birthday of a child enrolled in the~~
419 ~~Early Steps Extended Option, the local program office shall~~
420 ~~initiate transition planning to ensure the child's successful~~
421 ~~transition from the Early Steps Extended Option to a school~~
422 ~~district program under part B of the federal Individuals with~~
423 ~~Disabilities Education Act or to another program as part of an~~
424 ~~individual family support plan. Specifically, the local program~~
425 ~~office shall:~~

426 ~~1. Notify the Department of Education and the local school~~
427 ~~district in which the child resides that the eligible child is~~
428 ~~exiting the Early Steps Extended Option, unless the child's~~
429 ~~parent or legal guardian has opted out of such notification; and~~

430 ~~2. Upon approval by the child's parent or legal guardian,~~
431 ~~convene a transition conference that includes participation of a~~
432 ~~local school district representative and the parent or legal~~
433 ~~guardian to discuss options for and availability of services.~~

434 ~~(b) The local program office, in conjunction with the~~
435 ~~local school district, shall modify a child's individual family~~
436 ~~support plan, or, if applicable, the local school district shall~~
437 ~~develop or review an individual education plan for the child~~
438 ~~pursuant to ss. 1003.57, 1003.571, and 1003.5715 which~~
439 ~~identifies special education or related services that the child~~
440 ~~will receive and the providers or agencies that will provide~~
441 ~~such services.~~

442 ~~(c) If a child is found to be no longer eligible for part~~
443 ~~B of the federal Individuals with Disabilities Education Act~~
444 ~~during the review of an individual education plan, the local~~
445 ~~program office and the local school district must provide the~~
446 ~~child's parent or legal guardian with written information on~~
447 ~~other available services or community resources.~~

448 **Section 7. Paragraph (g) of subsection (16) of section**
449 **395.4025, Florida Statutes, is redesignated as paragraph (h) and**
450 **a new paragraph (g) is added to subsection (16) of that section**

451 **to read:**

452 395.4025 Trauma centers; selection; quality assurance;
453 records.—

454 (16)

455 (g) Notwithstanding the statutory capacity limits
456 established in s. 395.402(1), the provisions of subsection (8),
457 or any other provision of this part, specialty licensed
458 children's hospitals licensed by the agency shall be designated
459 by the department as a Level I or Level II pediatric trauma
460 center based on documentation of a valid certificate of trauma
461 center verification by the American College of Surgeons.

462 **Section 8. Paragraph (t) of subsection (1) of section**
463 **456.072, Florida Statutes, is amended to read:**

464 456.072 Grounds for discipline; penalties; enforcement.—

465 (1) The following acts shall constitute grounds for which
466 the disciplinary actions specified in subsection (2) may be
467 taken:

468 (t) Failing to identify through written notice, which may
469 include the wearing of a name tag, or orally to a patient the
470 type of license under which the practitioner is practicing. Any
471 advertisement for health care services naming the practitioner
472 must include the full name and identify the type of license and
473 the license number the practitioner holds. Advertisements
474 include, but are not limited to, promotion through materials,
475 websites, and social media. This paragraph does not apply to a

476 practitioner while the practitioner is providing services in a
477 facility licensed under chapter 394, chapter 395, chapter 400,
478 or chapter 429. Each board, or the department where there is no
479 board, is authorized by rule to determine how its practitioners
480 may comply with this disclosure requirement.

481 **Section 9. Present paragraphs (d) through (hh) of**
482 **subsection (5) of section 456.074, Florida Statutes, are**
483 **redesignated as paragraphs (e) through (ii), respectively, and a**
484 **new paragraph (d) is added to that subsection, to read:**

485 456.074 Certain health care practitioners; immediate
486 suspension of license.—

487 (5) The department shall issue an emergency order
488 suspending the license of any health care practitioner who is
489 arrested for committing or attempting, soliciting, or conspiring
490 to commit any act that would constitute a violation of any of
491 the following criminal offenses in this state or similar
492 offenses in another jurisdiction:

493 (d) Section 782.04, relating to murder.

494 **Section 10. Paragraph (c) of subsection (2) of section**
495 **464.0156, Florida Statutes, is amended to read:**

496 464.0156 Delegation of duties.—

497 (2)

498 (c) A registered nurse may not delegate the administration
499 of any controlled substance listed in Schedule II, Schedule III,
500 or Schedule IV of s. 893.03 or 21 U.S.C. s. 812, except that a

501 registered nurse may delegate:

502 1. ~~for~~ The administration of an insulin syringe that is
503 prefilled with the proper dosage by a pharmacist or an insulin
504 pen that is prefilled by the manufacturer; and

505 2. To a home health aide for medically fragile children as
506 defined in s. 400.462, the administration of a Schedule IV
507 controlled substance prescribed for the emergency treatment of
508 an active seizure.

509 **Section 11. Subsections (8) and (9) are added to section**
510 **466.023, Florida Statutes, to read:**

511 466.023 Dental hygienists; scope and area of practice.—

512 (8) A dental hygienist, under the direct supervision of a
513 licensed dentist, may use a dental diode laser for the purpose
514 of bacterial reduction or disinfection of gingival sulcus at
515 settings that preclude hard and soft tissue removal except for
516 incidental gingival curettage, in a manner consistent with the
517 dental hygienist's scope of practice, if the following criteria
518 are met:

519 (a) The dental hygienist has obtained certification for
520 the completion of an interactive didactic and clinical training
521 course which includes laser safety, infection control, patient
522 management, and the operation of specific lasers used in dental
523 practice. The course must consist of a minimum of 12 hours of
524 in-person instruction, including 3 hours of clinical simulation
525 training, which must be obtained through a course provided or

526 recognized by the Commission on Dental Accreditation of the
527 American Dental Association or an organization approved by the
528 board.

529 (b) The dental hygienist maintains evidence of obtaining
530 the required certification which is prominently displayed at the
531 location where the dental hygienist is authorized to use a
532 dental diode laser.

533 (c) The dental hygienist completes 2 hours of continuing
534 education every 2 years on the use of dental diode lasers in the
535 practice of dental hygiene.

536 (d) The dental hygienist provides evidence of completion
537 of the required certification and continuing education to the
538 board.

539 (e) The supervising dentist has received a minimum of 12
540 hours of education and training on the use of lasers in a dental
541 setting.

542 (f) All lasers are used in accordance with accepted safety
543 guidelines.

544 (9) When using a dental diode laser pursuant to this
545 section, a dental hygienist shall document all of the following
546 information in the patient's record:

547 (a) The type of laser used, including the wavelength of
548 the laser.

549 (b) The settings used, such as pulse or continuous wave,
550 and the power setting.

551 (c) Local anesthesia used, if any.

552 (d) The procedure attempted and performed, including
 553 details as to whether hard or soft tissue was removed.

554 **Section 12. Paragraph (c) of subsection (3) of section**
 555 **491.005, Florida Statutes, is amended to read:**

556 491.005 Licensure by examination.—

557 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of
 558 documentation and payment of a fee not to exceed \$200, as set by
 559 board rule, the department shall issue a license as a marriage
 560 and family therapist to an applicant whom the board certifies
 561 has met all of the following criteria:

562 (c)1. Attained one of the following:

563 a. A minimum of a master's degree in marriage and family
 564 therapy from a program accredited by the Commission on
 565 Accreditation for Marriage and Family Therapy Education.

566 b. A minimum of a master's degree with a major emphasis in
 567 marriage and family therapy or a closely related field from a
 568 university program accredited by the Council on Accreditation of
 569 Counseling and Related Educational Programs and graduate courses
 570 approved by the board.

571 c. A minimum of a master's degree with an emphasis in
 572 marriage and family therapy or a closely related field, with a
 573 degree conferred before September 1, 2032 ~~2027~~, from an
 574 institutionally accredited college or university and graduate
 575 courses approved by the board.

576 2. If the course title that appears on the applicant's
577 transcript does not clearly identify the content of the
578 coursework, the applicant provided additional documentation,
579 including, but not limited to, a syllabus or catalog description
580 published for the course. The required master's degree must have
581 been received in an institution of higher education that, at the
582 time the applicant graduated, was fully accredited by an
583 institutional accrediting body recognized by the Council for
584 Higher Education Accreditation or its successor organization or
585 was a member in good standing with Universities Canada, or an
586 institution of higher education located outside the United
587 States and Canada which, at the time the applicant was enrolled
588 and at the time the applicant graduated, maintained a standard
589 of training substantially equivalent to the standards of
590 training of those institutions in the United States which are
591 accredited by an institutional accrediting body recognized by
592 the Council for Higher Education Accreditation or its successor
593 organization. Such foreign education and training must have been
594 received in an institution or program of higher education
595 officially recognized by the government of the country in which
596 it is located as an institution or program to train students to
597 practice as professional marriage and family therapists or
598 psychotherapists. The applicant has the burden of establishing
599 that the requirements of this provision have been met, and the
600 board shall require documentation, such as an evaluation by a

601 foreign equivalency determination service, as evidence that the
 602 applicant's graduate degree program and education were
 603 equivalent to an accredited program in this country. An
 604 applicant with a master's degree from a program that did not
 605 emphasize marriage and family therapy may complete the
 606 coursework requirement in a training institution fully
 607 accredited by the Commission on Accreditation for Marriage and
 608 Family Therapy Education recognized by the United States
 609 Department of Education.

610
 611 For the purposes of dual licensure, the department shall license
 612 as a marriage and family therapist any person who meets the
 613 requirements of s. 491.0057. Fees for dual licensure may not
 614 exceed those stated in this subsection.

615 **Section 13. Section 741.21, Florida Statutes, is amended**
 616 **to read:**

617 741.21 Incestuous marriages prohibited.—

618 (1) A man may not marry any woman to whom he is related by
 619 lineal consanguinity, nor his sister, nor his aunt, nor his
 620 niece. A woman may not marry any man to whom she is related by
 621 lineal consanguinity, nor her brother, nor her uncle, nor her
 622 nephew.

623 (2) A man may not marry any woman who is a lineal
 624 descendent of his grandparent. A woman may not marry any man who
 625 is a lineal descendent of her grandparent. Marriages prohibited

626 in this subsection entered into after July 1, 2026, are not
 627 recognized for any purpose in this state.

628 **Section 14. Paragraph (d) of subsection (3) of section**
 629 **766.1115, Florida Statutes, is amended to read:**

630 766.1115 Health care providers; creation of agency
 631 relationship with governmental contractors.—

632 (3) DEFINITIONS.—As used in this section, the term:

633 (d) "Health care provider" or "provider" means:

- 634 1. A birth center licensed under chapter 383.
- 635 2. An ambulatory surgical center licensed under chapter
 636 395.
- 637 3. A hospital licensed under chapter 395.
- 638 4. A physician or physician assistant licensed under
 639 chapter 458.
- 640 5. An osteopathic physician or osteopathic physician
 641 assistant licensed under chapter 459.
- 642 6. A chiropractic physician licensed under chapter 460.
- 643 7. A podiatric physician licensed under chapter 461.
- 644 8. A registered nurse, nurse midwife, licensed practical
 645 nurse, or advanced practice registered nurse licensed or
 646 registered under part I of chapter 464 or any facility which
 647 employs nurses licensed or registered under part I of chapter
 648 464 to supply all or part of the care delivered under this
 649 section.
- 650 9. A midwife licensed under chapter 467.

651 10. A health maintenance organization certificated under
652 part I of chapter 641.

653 11. A health care professional association and its
654 employees or a corporate medical group and its employees.

655 12. Any other medical facility the primary purpose of
656 which is to deliver human medical diagnostic services or which
657 delivers nonsurgical human medical treatment, and which includes
658 an office maintained by a provider.

659 13. A dentist or dental hygienist licensed under chapter
660 466.

661 14. A free clinic that delivers only medical diagnostic
662 services or nonsurgical medical treatment free of charge to all
663 low-income recipients.

664 15. Any other health care professional, practitioner,
665 provider, or facility under contract with a governmental
666 contractor, including a student enrolled in an accredited
667 program that prepares the student for licensure as any one of
668 the professionals listed in subparagraphs 4.-9. and 13.

669
670 The term includes any nonprofit corporation qualified as exempt
671 from federal income taxation under s. 501(a) of the Internal
672 Revenue Code, and described in s. 501(c) of the Internal Revenue
673 Code, which delivers health care services provided by licensed
674 professionals listed in this paragraph, any federally funded
675 community health center, and any volunteer corporation or

676 volunteer health care provider that delivers health care
677 services.

678 **Section 15. Paragraph (f) of subsection (1) of section**
679 **1004.551, Florida Statutes, is amended to read:**

680 1004.551 University of Florida Center for Autism and
681 Neurodevelopment.—There is created at the University of Florida
682 the Center for Autism and Neurodevelopment.

683 (1) The center shall:

684 (f) Develop an autism micro-credential to provide
685 specialized training in supporting students with autism.

686 1. The micro-credential must be stackable with the autism
687 endorsement and be available to:

688 a. Instructional personnel as defined in s. 1012.01(2);

689 b. Prekindergarten instructors as specified in ss.
690 1002.55, 1002.61, and 1002.63; and

691 c. Child care personnel as defined in ss. 402.302(3) and
692 1002.88(1)(e).

693 d. Early intervention service providers credentialed
694 through the Early Steps Program.

695 2. The micro-credential must require participants to
696 demonstrate competency in:

697 a. Identifying behaviors associated with autism.

698 b. Supporting the learning environment in both general and
699 specialized classroom settings.

700 c. Promoting the use of assistive technologies.

- 701 d. Applying evidence-based instructional practices.
- 702 3. The micro-credential must:
- 703 a. Be provided at no cost to eligible participants.
- 704 b. Be competency-based, allowing participants to complete
- 705 the credentialing process either in person or online.
- 706 c. Permit participants to receive the micro-credential at
- 707 any time during training once competency is demonstrated.
- 708 4. Individuals eligible under subparagraph 1. who complete
- 709 the micro-credential are eligible for a one-time stipend, as
- 710 determined in the General Appropriations Act. The center shall
- 711 administer stipends for the micro-credential.

712 **Section 16. Subsection (17) of section 381.986, Florida**

713 **Statutes, is amended to read:**

714 381.986 Medical use of marijuana.—

715 (17) Rules adopted pursuant to this section before July 1,

716 2027 ~~2026~~, are not subject to ss. 120.54(3)(b) and 120.541. This

717 subsection expires July 1, 2027 ~~2026~~.

718 **Section 17. Effective July 1, 2026, upon the expiration**

719 **and reversion of the amendments made to subsection (1) of**

720 **section 14 of chapter 2017-232, Laws of Florida, pursuant to**

721 **section 10 of chapter 2025-199, Laws of Florida, subsection (1)**

722 **of section 14 of chapter 2017-232, Laws of Florida, is amended**

723 **to read:**

724 (1) EMERGENCY RULEMAKING.—

725 (a) The Department of Health and the applicable boards

726 shall adopt emergency rules pursuant to s. 120.54(4), Florida
727 Statutes, and this section necessary to implement s. 381.986 ~~ss.~~
728 ~~381.986 and 381.988~~, Florida Statutes. If an emergency rule
729 adopted under this section is held to be unconstitutional or an
730 invalid exercise of delegated legislative authority, and becomes
731 void, the department or the applicable boards may adopt an
732 emergency rule pursuant to this section to replace the rule that
733 has become void. If the emergency rule adopted to replace the
734 void emergency rule is also held to be unconstitutional or an
735 invalid exercise of delegated legislative authority and becomes
736 void, the department and the applicable boards must follow the
737 nonemergency rulemaking procedures of the Administrative
738 Procedures Act to replace the rule that has become void.

739 (b) For emergency rules adopted under this section, the
740 department and the applicable boards need not make the findings
741 required by s. 120.54(4)(a), Florida Statutes. Emergency rules
742 adopted under this section are exempt from ss. 120.54(3)(b) and
743 120.541, Florida Statutes. The department and the applicable
744 boards shall meet the procedural requirements in s. 120.54(4)(a)
745 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
746 applicable boards have, before July 1, 2019 ~~the effective date of~~
747 ~~this act~~, held any public workshops or hearings on the subject
748 matter of the emergency rules adopted under this subsection.
749 Challenges to emergency rules adopted under this subsection are
750 subject to the time schedules provided in s. 120.56(5), Florida

751 Statutes.

752 (c) Emergency rules adopted under this section are exempt
753 from s. 120.54(4)(c), Florida Statutes, and shall remain in
754 effect until replaced by rules adopted under the nonemergency
755 rulemaking procedures of the Administrative Procedures Act.
756 Rules adopted under the nonemergency rulemaking procedures of
757 the Administrative Procedures Act to replace emergency rules
758 adopted under this section are exempt from ss. 120.54(3)(b) and
759 120.541, Florida Statutes. By July 15, 2026 ~~January 1, 2018~~, the
760 department and the applicable boards shall initiate nonemergency
761 rulemaking pursuant to the Administrative Procedures Act to
762 replace all emergency rules adopted under this section by
763 publishing a notice of rule development in the Florida
764 Administrative Register. The department and applicable boards
765 shall publish a notice of proposed rule in the Florida
766 Administrative Register by July 30, 2026. Notwithstanding s.
767 120.54(2)(a)2., Florida Statutes, this timeframe may not be
768 exceeded ~~Except as provided in paragraph (a), after January 1,~~
769 ~~2018, the department and applicable boards may not adopt rules~~
770 ~~pursuant to the emergency rulemaking procedures provided in this~~
771 ~~section.~~

772 **Section 18.** The amendments to subsection (1) of section 14
773 of chapter 2017-232, Laws of Florida, made by this act expire
774 January 1, 2027, and the text of that subsection shall revert to
775 that in existence on June 30, 2019, except that any amendments

776 | to such text enacted other than by this act shall be preserved
777 | and continue to operate to the extent that such amendments are
778 | not dependent upon the portions of text which expire pursuant to
779 | this section.

780 | **Section 19.** This act shall take effect July 1, 2026.