1 A bill to be entitled 2 An act relating to background screenings and 3 certifications; amending s. 420.621, F.S.; defining 4 the term "person with lived experience"; creating s. 5 420.6241, F.S.; providing legislative intent; 6 providing qualifications for a person seeking 7 certification as a person with lived experience; 8 requiring continuum of care lead agencies to submit 9 certain information to the Department of Children and Families for purposes of background screening; 10 11 providing duties of the department; prescribing screening requirements; specifying disqualifying 12 13 offenses for a person applying for certification; authorizing a person who does not meet background 14 screening requirements to request from the department 15 16 an exemption from disqualification; amending s. 456.0135, F.S.; expanding certain background screening 17 18 requirements to apply to all health care 19 practitioners, rather than specified practitioners; requiring health care practitioners licensed before a 20 21 specified date to comply with the background screening 22 requirements by a specified date; amending ss. 23 457.105, 463.006, 465.007, 465.0075, 465.013, 465.014, 24 466.006, 466.0067, 466.007, 467.011, 468.1185, 468.1215, 468.1695, 468.209, 468.213, 468.355, 25 26 468.358, 468.509, 468.513, 468.803, 478.45, 483.815,

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2.7 483.901, 483.914, 484.007, 484.045, 486.031, 486.102, 28 490.005, 490.0051, 490.006, 491.0045, 491.0046, 29 491.005, and 491.006, F.S.; revising licensure, 30 registration, or certification requirements, as applicable, for acupuncturists; optometrists; 31 pharmacists; pharmacist licenses by endorsement; 32 33 registered pharmacy interns; pharmacy technicians; dentists; health access dental licenses; dental 34 35 hygienists; midwives; speech-language pathologists and audiologists; speech-language pathology assistants and 36 37 audiology assistants; nursing home administrators; 38 occupational therapists and occupational therapy 39 assistants; occupational therapist and occupational therapy assistant licenses by endorsement; respiratory 40 therapists; respiratory therapist licenses by 41 42 endorsement; dietitian/nutritionists; dietitian/nutritionist licenses by endorsement; 43 44 practitioners of orthotics, prosthetics, or 45 pedorthics; electrologists; clinical laboratory personnel; medical physicists; genetic counselors; 46 47 opticians; hearing aid specialists; physical 48 therapists; physical therapist assistants; 49 psychologists and school psychologists; provisional 50 licenses for psychologists; psychologist and school psychologist licenses by endorsement; intern 51 52 registrations for clinical social work, marriage and

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family therapy, and mental health counseling; provisional licenses for clinical social workers, marriage and family therapists, and mental health counselors; clinical social workers, marriage and family therapists, and mental health counselors; and clinical social worker, marriage and family therapist, and mental health counselor licenses by endorsement, respectively, to include background screening requirements; making conforming and technical changes; amending ss. 486.025, 486.0715, 486.1065, and 491.003, F.S.; conforming cross-references; providing an appropriation; providing an effective date.

5.3

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

Section 1. Subsection (6) of section 420.621, Florida Statutes, is renumbered as subsection (7), and a new subsection (6) is added to that section, to read:

420.621 Definitions.—As used in ss. 420.621-420.628, the term:

(6) "Person with lived experience" means any person with current or past experience of homelessness, as defined in 24 C.F.R. s. 578.3, including persons who have accessed or sought homeless services while fleeing domestic violence.

Section 2. Section 420.6241, Florida Statutes, is created to read:

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## 420.6241 Persons with lived experience.-

- ability to provide adequate homeless services is limited due to a shortage of professionals and paraprofessionals in the field.

  Persons with lived experience of homelessness are uniquely qualified to provide effective support services because they share common life experiences with the persons they assist. A person with lived experience may have a criminal history that prevents him or her from meeting background screening requirements.
- (2) QUALIFICATIONS.—A person may seek certification as a person with lived experience if he or she has received homeless services. A continuum of care lead agency serving the homeless must include documentation of the homeless services such person received when requesting a background check of the applicant.
- (3) DUTIES OF THE DEPARTMENT.—The department shall ensure that an applicant's background screening required to achieve certification is conducted as provided in subsection (4).
  - (4) BACKGROUND SCREENING.-
- (a) The background screening conducted under this subsection must ensure that the qualified applicant has not, during the preceding 3 years, been arrested for and is not awaiting final disposition of, has not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or has not been adjudicated delinquent and the record has been sealed or expunged for, any felony.

(b) The background screening conducted under this
subsection must ensure that the qualified applicant has not been
arrested for and is not awaiting final disposition of, has not
been found guilty of, regardless of adjudication, or entered a
plea of nolo contendere or guilty to, or has not been
adjudicated delinquent and the record has been sealed or
expunged for, any offense prohibited under any of the following
state laws or similar laws of another jurisdiction:
1. Section 393.135, relating to sexual misconduct with
certain developmentally disabled clients and reporting of such

- sexual misconduct.
- 2. Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.
- 3. Section 409.920, relating to Medicaid provider fraud, if the offense is a felony of the first or second degree.
- 4. Section 415.111, relating to criminal penalties for abuse, neglect, or exploitation of vulnerable adults.
- 5. Any offense that constitutes domestic violence, as defined in s. 741.28.
- Section 777.04, relating to attempts, solicitation, and conspiracy to commit an offense listed in this paragraph.
  - 7. Section 782.04, relating to murder.
- 8. Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or a disabled adult, aggravated manslaughter of a child, or aggravated manslaughter

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131	of	an	of	ficer,	a	firefigh	ter,	an e	emerg	gency	medic	cal	techni	cian,
132	or	a	par	amedic.	<u>.</u>									
133			9.	Sectio	on	782.071,	rela	atino	a to	vehic	cular	hom	nicide.	

- 9. Section 782.071, relating to vehicular homicide.
- 10. Section 782.09, relating to killing of an unborn child 134 by injury to the mother. 135
- 11. Chapter 784, relating to assault, battery, and 136 137 culpable negligence, if the offense is a felony.
  - 12. Section 787.01, relating to kidnapping.
  - 13. Section 787.02, relating to false imprisonment.
  - 14. Section 787.025, relating to luring or enticing a child.
    - 15. Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.
    - 16. Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.
  - 17. Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.
  - 18. Section 790.115(2)(b), relating to possessing an electric weapon or device, a destructive device, or any other weapon on school property.
    - 19. Section 794.011, relating to sexual battery.

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157	20. Former s. 794.041, relating to prohibited acts of
158	persons in familial or custodial authority.
159	21. Section 794.05, relating to unlawful sexual activity
160	with certain minors.
161	22. Section 794.08, relating to female genital mutilation.
162	23. Section 796.07, relating to procuring another to
163	commit prostitution, except for those offenses expunged pursuant
164	to s. 943.0583.
165	24. Section 798.02, relating to lewd and lascivious
166	behavior.
167	25. Chapter 800, relating to lewdness and indecent
168	exposure.
169	26. Section 806.01, relating to arson.
170	27. Section 810.02, relating to burglary, if the offense
171	is a felony of the first degree.
172	28. Section 810.14, relating to voyeurism, if the offense
173	is a felony.
174	29. Section 810.145, relating to video voyeurism, if the
175	offense is a felony.
176	30. Section 812.13, relating to robbery.
177	31. Section 812.131, relating to robbery by sudden
178	snatching.
179	32. Section 812.133, relating to carjacking.
180	33. Section 812.135, relating to home-invasion robbery.
181	34. Section 817.034, relating to communications fraud, if
182	the offense is a felony of the first degree.

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183	35. Section 817.234, relating to false and fraudulent
184	insurance claims, if the offense is a felony of the first or
185	second degree.
186	36. Section 817.50, relating to fraudulently obtaining
187	goods or services from a health care provider and false reports
188	of a communicable disease.
189	37. Section 817.505, relating to patient brokering.
190	38. Section 817.568, relating to fraudulent use of
191	personal identification, if the offense is a felony of the first
192	or second degree.
193	39. Section 825.102, relating to abuse, aggravated abuse,
194	or neglect of an elderly person or a disabled adult.
195	40. Section 825.1025, relating to lewd or lascivious
196	offenses committed upon or in the presence of an elderly person
197	or a disabled person.
198	41. Section 825.103, relating to exploitation of an
199	elderly person or a disabled adult, if the offense is a felony.
200	42. Section 826.04, relating to incest.
201	43. Section 827.03, relating to child abuse, aggravated
202	child abuse, or neglect of a child.
203	44. Section 827.04, relating to contributing to the
204	delinquency or dependency of a child.
205	45. Former s. 827.05, relating to negligent treatment of
206	children.
207	46. Section 827.071, relating to sexual performance by a

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child.

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209	47. Section 831.30, relating to fraud in obtaining
210	medicinal drugs.
211	48. Section 831.31, relating to the sale, manufacture,
212	delivery, or possession with intent to sell, manufacture, or
213	deliver any counterfeit controlled substance, if the offense is
214	a felony.
215	49. Section 843.01, relating to resisting arrest with
216	violence.
217	50. Section 843.025, relating to depriving a law
218	enforcement, correctional, or correctional probation officer of
219	the means of protection or communication.
220	51. Section 843.12, relating to aiding in an escape.
221	52. Section 843.13, relating to aiding in the escape of
222	juvenile inmates of correctional institutions.
223	53. Chapter 847, relating to obscenity.
224	54. Section 874.05, relating to encouraging or recruiting
225	another to join a criminal gang.
226	55. Chapter 893, relating to drug abuse prevention and
227	control, if the offense is a felony of the second degree or
228	greater severity.
229	56. Section 895.03, relating to racketeering and
230	collection of unlawful debts.
231	57. Section 896.101, relating to the Florida Money
232	Laundering Act.
233	58. Section 916.1075, relating to sexual misconduct with
234	certain forensic clients and reporting of such sexual

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235	misconduct.
236	59. Section 944.35(3), relating to inflicting cruel or
237	inhuman treatment on an inmate, resulting in great bodily harm.
238	60. Section 944.40, relating to escape.
239	61. Section 944.46, relating to harboring, concealing, or
240	aiding an escaped prisoner.
241	62. Section 944.47, relating to introduction of contraband
242	into a correctional institution.
243	63. Section 985.701, relating to sexual misconduct in
244	juvenile justice programs.
245	64. Section 985.711, relating to introduction of
246	contraband into a detention facility.
247	(5) EXEMPTION REQUESTS.—An applicant who desires to become
248	a certified person with lived experience but is disqualified
249	under subsection (4) may apply to the department for an
250	exemption from disqualification under s. 435.07, as applicable.
251	The department shall accept or reject an application for
252	exemption within 90 days after receiving the application from
253	the applicant.
254	Section 3. Subsection (1) of section 456.0135, Florida
255	Statutes, is amended to read:
256	456.0135 General background screening provisions.—
257	(1) An application for initial licensure received on or
258	after January 1, 2013, under chapter 458, chapter 459, chapter
259	460, chapter 461, chapter 462, chapter 463, chapter 464, chapter
260	465 s. 465.022, chapter 466, chapter 467, part I, part II, part

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261	III, part V, part X, part XIII, or part XIV of chapter 468,
262	chapter 478, or chapter 480, chapter 483, chapter 484, chapter
263	486, chapter 490, or chapter 491 must shall include fingerprints
264	pursuant to procedures established by the department through a
265	vendor approved by the Department of Law Enforcement and fees
266	imposed for the initial screening and retention of fingerprints.
267	Fingerprints must be submitted electronically to the Department
268	of Law Enforcement for state processing, and the Department of
269	Law Enforcement shall forward the fingerprints to the Federal
270	Bureau of Investigation for national processing. Each board, or
271	the department if there is no board, $\underline{ ext{must}}$ $\underline{ ext{shall}}$ screen the
272	results to determine $\frac{\text{whether}}{\text{whether}}$ if an applicant meets licensure
273	requirements. For any subsequent renewal of the applicant's
274	license which that requires a national criminal history check,
275	the department shall request the Department of Law Enforcement
276	to forward the retained fingerprints of the applicant to the
277	Federal Bureau of Investigation unless the fingerprints are
278	enrolled in the national retained print arrest notification
279	program.
280	Section 4. Health care practitioners as defined in s.
281	456.001, Florida Statutes, who were licensed before July 1,
282	2024, must comply with the background screening requirements of
283	s. 456.0135, Florida Statutes, by July 1, 2025.
284	Section 5. Subsection (2) of section 457.105, Florida
285	Statutes, is amended to read:
286	457.105 Licensure qualifications and fees

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- (2) A person may become licensed to practice acupuncture if the person applies to the department and <u>meets all of the following criteria:</u>
- (a) Is 21 years of age or older, has good moral character, and has the ability to communicate in English, which is demonstrated by having passed the national written examination in English or, if such examination was passed in a foreign language, by also having passed a nationally recognized English proficiency examination.
- Has completed 60 college credits from an accredited postsecondary institution as a prerequisite to enrollment in an authorized 3-year course of study in acupuncture and oriental medicine, and has completed a 3-year course of study in acupuncture and oriental medicine, and effective July 31, 2001, a 4-year course of study in acupuncture and oriental medicine, which meets standards established by the board by rule, which standards include, but are not limited to, successful completion of academic courses in western anatomy, western physiology, western pathology, western biomedical terminology, first aid, and cardiopulmonary resuscitation (CPR). However, any person who enrolled in an authorized course of study in acupuncture before August 1, 1997, must have completed only a 2-year course of study which meets standards established by the board by rule, which standards must include, but are not limited to, successful completion of academic courses in western anatomy, western physiology, and western pathology. +

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(c) Has successfully completed a board-approved national
certification process, is actively licensed in a state that has
examination requirements that are substantially equivalent to or
more stringent than those of this state, or passes an
examination administered by the department, which examination
tests the applicant's competency and knowledge of the practice
of acupuncture and oriental medicine. At the request of any
applicant, oriental nomenclature for the points $\underline{\text{must}}$ $\underline{\text{shall}}$ be
used in the examination. The examination $\underline{\text{must}}$ $\underline{\text{shall}}$ include a
practical examination of the knowledge and skills required to
practice modern and traditional acupuncture and oriental
medicine, covering diagnostic and treatment techniques and
procedures .; and

- (d) Pays the required fees set by the board by rule not to exceed the following amounts:
- 1. Examination fee: \$500 plus the actual per applicant cost to the department for purchase of the written and practical portions of the examination from a national organization approved by the board.
  - 2. Application fee: \$300.
- 3. Reexamination fee: \$500 plus the actual per applicant cost to the department for purchase of the written and practical portions of the examination from a national organization approved by the board.
- 4. Initial biennial licensure fee: \$400, if licensed in the first half of the biennium, and \$200, if licensed in the

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339 second half of the biennium.

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(e) Submits to background screening in accordance with s. 456.0135.

Section 6. Subsection (1) of section 463.006, Florida Statutes, is amended to read:

463.006 Licensure and certification by examination.-

- (1) Any person desiring to be a licensed practitioner under pursuant to this chapter must apply to the department, submit to background screening in accordance with s. 456.0135, and must submit proof to the department that she or he meets all of the following criteria:
- (a) Has completed the application forms as required by the board, remitted an application fee for certification not to exceed \$250, remitted an examination fee for certification not to exceed \$250, and remitted an examination fee for licensure not to exceed \$325, all as set by the board.
  - (b) Is at least 18 years of age.
- (c) Has graduated from an accredited school or college of optometry approved by rule of the board.
  - (d) Is of good moral character.
- (e) Has successfully completed at least 110 hours of transcript-quality coursework and clinical training in general and ocular pharmacology as determined by the board, at an institution that:
- 1. Has facilities for both didactic and clinical instructions in pharmacology; and

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- 2. Is accredited by a regional or professional accrediting organization that is recognized and approved by the Commission on Recognition of Postsecondary Accreditation or the United States Department of Education.
- (f) Has completed at least 1 year of supervised experience in differential diagnosis of eye disease or disorders as part of the optometric training or in a clinical setting as part of the optometric experience.

Section 7. Subsection (1) of section 465.007, Florida Statutes, is amended to read:

465.007 Licensure by examination.-

- (1) Any person desiring to be licensed as a pharmacist shall apply to the department to take the licensure examination. The department shall examine each applicant who the board certifies has met all of the following criteria:
- (a) Completed the application form and remitted an examination fee set by the board not to exceed \$100 plus the actual per applicant cost to the department for purchase of portions of the examination from the National Association of Boards of Pharmacy or a similar national organization. The fees authorized under this section shall be established in sufficient amounts to cover administrative costs.
- (b) <u>Submitted to background screening in accordance with</u> s. 456.0135.
- (c) Submitted satisfactory proof that she or he is not less than 18 years of age and:

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1. Is a recipient of a degree from a school or college of pharmacy accredited by an accrediting agency recognized and approved by the United States Office of Education; or

- 2. Is a graduate of a 4-year undergraduate pharmacy program of a school or college of pharmacy located outside the United States, has demonstrated proficiency in English by passing both the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE), has passed the Foreign Pharmacy Graduate Equivalency Examination that is approved by rule of the board, and has completed a minimum of 500 hours in a supervised work activity program within this state under the supervision of a pharmacist licensed by the department, which program is approved by the board.
- (d) (c) Submitted satisfactory proof that she or he has completed an internship program approved by the board. No such board-approved program shall exceed 2,080 hours, all of which may be obtained prior to graduation.

Section 8. Subsection (1) of section 465.0075, Florida Statutes, is amended to read:

465.0075 Licensure by endorsement; requirements; fee.-

- (1) The department shall issue a license by endorsement to any applicant who applies to the department and remits a nonrefundable fee of not more than \$100, as set by the board, and  $\underline{\text{who}}$  whom the board certifies  $\underline{\text{has met all of the following}}$  criteria:
  - (a) Has Met the qualifications for licensure in s.

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417 | 465.007(1)(b), and (c), and (d). $\div$ 

- (b) Has Obtained a passing score, as established by rule of the board, on the licensure examination of the National Association of Boards of Pharmacy or a similar nationally recognized examination, if the board certifies that the applicant has taken the required examination.;
- (c)1. Has Submitted evidence of the active licensed practice of pharmacy, including practice in community or public health by persons employed by a governmental entity, in another jurisdiction for at least 2 of the immediately preceding 5 years or evidence of successful completion of board-approved postgraduate training or a board-approved clinical competency examination within the year immediately preceding application for licensure; or
- 2. Has Completed an internship meeting the requirements of  $\underline{s. 465.007(1)(d)}$   $\underline{s. 465.007(1)(c)}$  within the 2 years immediately preceding application.; and
- (d) Has Obtained a passing score on the pharmacy jurisprudence portions of the licensure examination, as required by board rule.
- Section 9. Section 465.013, Florida Statutes, is amended to read:
- 465.013 Registration of pharmacy interns.—The department shall register as pharmacy interns persons certified by the board as being enrolled in an intern program at an accredited school or college of pharmacy or who are graduates of accredited

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schools or colleges of pharmacy and are not yet licensed in the state. Applicants for registration must submit to background screening in accordance with s. 456.0135. The board may refuse to certify to the department or may revoke the registration of any intern for good cause, including grounds enumerated in this chapter for revocation of pharmacists' licenses.

Section 10. Subsection (2) of section 465.014, Florida Statutes, is amended to read:

465.014 Pharmacy technician.-

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Any person who wishes to work as a pharmacy technician in this state must register by filing an application with the board on a form adopted by rule of the board and submit to background screening in accordance with s. 456.0135. The board shall register each applicant who has remitted a registration fee set by the board, not to exceed \$50 biennially; has completed the application form and remitted a nonrefundable application fee set by the board, not to exceed \$50; has submitted to background screening; is at least 17 years of age; and has completed a pharmacy technician training program approved by the Board of Pharmacy. Notwithstanding any requirements in this subsection, any registered pharmacy technician registered pursuant to this section before January 1, 2011, who has worked as a pharmacy technician for a minimum of 1,500 hours under the supervision of a licensed pharmacist or received certification as a pharmacy technician by certification program accredited by the National Commission for Certifying

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Agencies is exempt from the requirement to complete an initial training program for purposes of registration as required by this subsection.

Section 11. Paragraph (b) of subsection (1) of section 466.006, Florida Statutes, is amended to read:

466.006 Examination of dentists.-

475 (1)

- (b) 1. Any person desiring to be licensed as a dentist shall apply to the department to take the licensure examinations and shall verify the information required on the application by oath. The application <u>must shall</u> include two recent photographs. There shall be an application fee set by the board not to exceed \$100 which shall be nonrefundable <u>and</u>. There shall also be an examination fee set by the board, which shall not to exceed \$425 plus the actual per applicant cost to the department for purchase of some or all of the examination from the American Board of Dental Examiners or its successor entity, if any, provided the board finds the successor entity's clinical examination complies with the provisions of this section. The examination fee may be <u>refunded refundable</u> if the applicant is found ineligible to take the examinations.
- 2. Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

Section 12. Section 466.0067, Florida Statutes, is amended to read:

466.0067 Application for health access dental license.—The

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Legislature finds that there is an important state interest in attracting dentists to practice in underserved health access settings in this state and further, that allowing out-of-state dentists who meet certain criteria to practice in health access settings without the supervision of a dentist licensed in this state is substantially related to achieving this important state interest. Therefore, notwithstanding the requirements of s. 466.006, the board shall grant a health access dental license to practice dentistry in this state in health access settings as defined in s. 466.003 to an applicant who meets all of the following criteria:

- (1) Files an appropriate application approved by the board.  $\boldsymbol{\div}$
- (2) Pays an application license fee for a health access dental license, laws-and-rule exam fee, and an initial licensure fee. The fees specified in this subsection may not differ from an applicant seeking licensure pursuant to s. 466.006.÷
- (3) Has submitted to background screening in accordance with s. 456.0135 and has not been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession.
- (4) Submits proof of graduation from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency.
  - (5) Submits documentation that she or he has completed, or

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will obtain before licensure, continuing education equivalent to this state's requirement for dentists licensed under s. 466.006 for the last full reporting biennium before applying for a health access dental license. $\div$ 

- (6) Submits proof of her or his successful completion of parts I and II of the dental examination by the National Board of Dental Examiners and a state or regional clinical dental licensing examination that the board has determined effectively measures the applicant's ability to practice safely.
- (7) Currently holds a valid, active dental license in good standing which has not been revoked, suspended, restricted, or otherwise disciplined from another of the United States, the District of Columbia, or a United States territory.
- (8) Has never had a license revoked from another of the United States, the District of Columbia, or a United States territory.  $\div$
- (9) Has never failed the examination specified in s. 466.006, unless the applicant was reexamined pursuant to s. 466.006 and received a license to practice dentistry in this state. $\div$
- (10) Has not been reported to the National Practitioner Data Bank, unless the applicant successfully appealed to have his or her name removed from the data bank. $\dot{\cdot}$
- (11) Submits proof that he or she has been engaged in the active, clinical practice of dentistry providing direct patient care for 5 years immediately preceding the date of application,

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or in instances when the applicant has graduated from an accredited dental school within the preceding 5 years, submits proof of continuous clinical practice providing direct patient care since graduation.; and

(12) Has passed an examination covering the laws and rules of the practice of dentistry in this state as described in s. 466.006(4) (a).

Section 13. Subsection (1) of section 466.007, Florida Statutes, is amended to read:

466.007 Examination of dental hygienists.-

- (1)1. Any person desiring to be licensed as a dental hygienist shall apply to the department to take the licensure examinations and shall verify the information required on the application by oath. The application must shall include two recent photographs of the applicant. There shall be a nonrefundable application fee set by the board not to exceed \$100 and an examination fee set by the board which shall not to exceed be more than \$225. The examination fee may be refunded if the applicant is found ineligible to take the examinations.
- 2. Applicants for licensure must also submit to background screening in accordance with s. 456.0135.
- Section 14. Subsection (5) is added to section 467.011, Florida Statutes, to read:
- 467.011 Licensed midwives; qualifications; examination.—
  The department shall issue a license to practice midwifery to an applicant who meets all of the following criteria:

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573		(5)	Submits	to	background	screening	in	accordance	with	s.
574	456.0	135.								

Section 15. Subsections (2) and (3) of section 468.1185, Florida Statutes, are amended to read:

468.1185 Licensure.-

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- (2) The board shall certify for licensure any applicant who has met all of the following criteria:
- (a) Satisfied the education and supervised clinical requirements of s. 468.1155.
- (b) Satisfied the professional experience requirement of s. 468.1165.
- (c) Passed the licensure examination required by s. 468.1175.
- (d) <u>For</u> an applicant for an audiologist license who has obtained a doctoral degree in audiology, has satisfied the education and supervised clinical requirements of paragraph (a) and the professional experience requirements of paragraph (b).
- (e) Submitted to background screening in accordance with s. 456.0135.
- (3) The board shall certify as qualified for a license by endorsement as a speech-language pathologist or audiologist an applicant who:
- (a) Holds a valid license or certificate in another state or territory of the United States to practice the profession for which the application for licensure is made, if the criteria for issuance of such license were substantially equivalent to or

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more stringent than the licensure criteria which existed in this state at the time the license was issued; or

- (b) Holds a valid certificate of clinical competence of the American Speech-Language and Hearing Association or board certification in audiology from the American Board of Audiology; and
- (c) Submits to background screening in accordance with s. 456.0135.

Section 16. Subsections (1) and (2) of section 468.1215, Florida Statutes, are amended to read:

468.1215 Speech-language pathology assistant and audiology assistant; certification.—

- (1) The department shall issue a certificate as a speech-language pathology assistant to each applicant who the board certifies has met all of the following criteria:
- (a) Completed the application form and remitted the required fees, including a nonrefundable application fee.
- (b) <u>Submitted to background screening in accordance with</u> s. 456.0135.
- (c) Earned a bachelor's degree from a college or university accredited by a regional association of colleges and schools recognized by the Department of Education which includes at least 24 semester hours of coursework as approved by the board at an institution accredited by an accrediting agency recognized by the Council for Higher Education Accreditation.
  - (2) The department shall issue a certificate as an

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audiology assistant to each applicant who the board certifies has met all of the following criteria:

- (a) Completed the application form and remitted the required fees, including a nonrefundable application fee.
- (b) <u>Submitted to background screening in accordance with</u> s. 456.0135.
  - (c) Earned a high school diploma or its equivalent.

Section 17. Present subsections (2), (3), and (4) of section 468.1695, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, a new subsection (2) is added to that section, and present subsection (2) of that section is amended, to read:

468.1695 Licensure by examination.-

- (2) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.
- (3)(2) The department shall examine each applicant who the board certifies has completed the application form, submitted to background screening, and remitted an examination fee set by the board not to exceed \$250 and who:
- (a)1. Holds a baccalaureate degree from an accredited college or university and majored in health care administration, health services administration, or an equivalent major, or has credit for at least 60 semester hours in subjects, as prescribed by rule of the board, which prepare the applicant for total management of a nursing home; and
  - 2. Has fulfilled the requirements of a college-affiliated

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or university-affiliated internship in nursing home administration or of a 1,000-hour nursing home administrator-in-training program prescribed by the board; or

- (b)1. Holds a baccalaureate degree from an accredited college or university; and
- 2.a. Has fulfilled the requirements of a 2,000-hour nursing home administrator-in-training program prescribed by the board; or
- b. Has 1 year of management experience allowing for the application of executive duties and skills, including the staffing, budgeting, and directing of resident care, dietary, and bookkeeping departments within a skilled nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed beds, or geriatric residential treatment program and, if such experience is not in a skilled nursing facility, has fulfilled the requirements of a 1,000-hour nursing home administrator-in-training program prescribed by the board.

Section 18. Subsections (1) and (2) of section 468.209, Florida Statutes, are amended to read:

468.209 Requirements for licensure.

- (1) An applicant applying for a license as an occupational therapist or as an occupational therapy assistant shall apply to the department on forms furnished by the department. The department shall license each applicant who the board certifies meets all of the following criteria:
  - (a) Has completed the file a written application form and

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remitted, accompanied by the application for licensure fee prescribed in s. 468.221.

- (b) Has submitted to background screening in accordance with s. 456.0135., on forms provided by the department, showing to the satisfaction of the board that she or he:
  - (c) (a) Is of good moral character.
- (d) (b) Has successfully completed the academic requirements of an educational program in occupational therapy recognized by the board, with concentration in biologic or physical science, psychology, and sociology, and with education in selected manual skills. Such a program shall be accredited by the American Occupational Therapy Association's Accreditation Council for Occupational Therapy Education, or its successor.
- (e)(e) Has successfully completed a period of supervised fieldwork experience at a recognized educational institution or a training program approved by the educational institution where she or he met the academic requirements. For an occupational therapist, a minimum of 6 months of supervised fieldwork experience is required. For an occupational therapy assistant, a minimum of 2 months of supervised fieldwork experience is required.
- $\underline{\text{(f)-(d)}}$  Has passed an examination conducted or adopted by the board as provided in s. 468.211.
- (2) An applicant who has practiced as a state-licensed or American Occupational Therapy Association-certified occupational therapy assistant for 4 years and who, before January 24, 1988,

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completed a minimum of 24 weeks of supervised occupational—therapist-level fieldwork experience may take the examination to be licensed as an occupational therapist without meeting the educational requirements for occupational therapists made otherwise applicable under paragraph (1) (d)  $\frac{1}{(1)}$  (b).

Section 19. Subsection (3) is added to section 468.213, Florida Statutes, to read:

468.213 Licensure by endorsement.-

(3) Applicants for licensure by endorsement must submit to background screening in accordance with s. 456.0135.

Section 20. Section 468.355, Florida Statutes, is amended to read:

468.355 Licensure requirements.—To be eligible for licensure by the board, an applicant must be an active "certified respiratory therapist" or an active "registered respiratory therapist" as designated by the National Board for Respiratory Care, or its successor, and submit to background screening in accordance with s. 456.0135.

Section 21. Subsection (4) of section 468.358, Florida Statutes, is amended to read:

468.358 Licensure by endorsement.-

(4) Applicants for licensure shall not be granted by endorsement under as provided in this section must submit without the submission of a proper application, remit and the payment of the requisite application fee, and submit to background screening in accordance with s. 456.0135 fees

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Section 22. Present subsections (2), (3), and (4) of section 468.509, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, a new subsection (2) is added to that section, and present subsection (2) of that section is amended, to read:

468.509 Dietitian/nutritionist; requirements for licensure.—

- (2) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.
- (3)(2) The department shall examine any applicant who the board certifies has completed the application form, submitted to background screening, and remitted the application and examination fees specified in s. 468.508 and who:
- (a)1. Possesses a baccalaureate or postbaccalaureate degree with a major course of study in human nutrition, food and nutrition, dietetics, or food management, or an equivalent major course of study, from a school or program accredited, at the time of the applicant's graduation, by the appropriate accrediting agency recognized by the Commission on Recognition of Postsecondary Accreditation and the United States Department of Education; and
- 2. Has completed a preprofessional experience component of not less than 900 hours or has education or experience determined to be equivalent by the board; or
  - (b)1. Has an academic degree, from a foreign country, that

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has been validated by an accrediting agency approved by the United States Department of Education as equivalent to the baccalaureate or postbaccalaureate degree conferred by a regionally accredited college or university in the United States;

- 2. Has completed a major course of study in human nutrition, food and nutrition, dietetics, or food management; and
- 3. Has completed a preprofessional experience component of not less than 900 hours or has education or experience determined to be equivalent by the board.

Section 23. Subsection (1) of section 468.513, Florida Statutes, is amended to read:

468.513 Dietitian/nutritionist; licensure by endorsement.-

- (1) The department shall issue a license to practice dietetics and nutrition by endorsement to any applicant who submits to background screening in accordance with s. 456.0135 and the board certifies as qualified, upon receipt of a completed application and the fee specified in s. 468.508.
- Section 24. Subsection (2) of section 468.803, Florida Statutes, is amended to read:
- 468.803 License, registration, and examination requirements.—
- (2) An applicant for registration, examination, or licensure must apply to the department on a form prescribed by the board for consideration of board approval. Each initial

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applicant shall submit fingerprints to the department in
accordance with $\underline{\text{s. }456.0135}$ and any other procedures specified
by the department for state and national criminal history checks
of the applicant. The board shall screen the results to
determine if an applicant meets licensure requirements. The
board shall consider for examination, registration, or licensure
each applicant whom the board verifies <u>meets all of the</u>
following criteria:

- (a) Has submitted the completed application and completed the fingerprinting requirements and has paid the applicable application fee, not to exceed \$500. The application fee is nonrefundable. $\div$ 
  - (b) Is of good moral character. +
  - (c) Is 18 years of age or older.; and
  - (d) Has completed the appropriate educational preparation.
- Section 25. Subsection (1) of section 478.45, Florida Statutes, is amended to read:
  - 478.45 Requirements for licensure.
- (1) An applicant applying for licensure as an electrologist shall apply to the department on forms furnished by the department. The department shall license each applicant who the board certifies meets all of the following criteria:
- (a) Has completed the file a written application form and remitted, accompanied by the application for licensure fee prescribed in s. 478.55.
  - (b) Has submitted to background screening in accordance

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807	with s. 456.0135., on a form provided by the board, showing to
808	the satisfaction of the board that the applicant:
809	(c)(a) Is at least 18 years old.
810	(d)(b) Is of good moral character.
811	(e)(c) Possesses a high school diploma or a high school
812	equivalency diploma.
813	$\frac{(f)}{(d)}$ Has not committed an act in any jurisdiction which
814	would constitute grounds for disciplining an electrologist in
815	this state.
816	(g) (e) Has successfully completed the academic
817	requirements of an electrolysis training program, not to exceed
818	120 hours, and the practical application thereof as approved by
819	the board.
820	Section 26. Section 483.815, Florida Statutes, is amended
821	to read:
822	483.815 Application for clinical laboratory personnel
823	license.—An application for a clinical laboratory personnel
824	license shall be made under oath on forms provided by the
825	department and shall be accompanied by payment of fees as
826	provided by this part. Applicants for licensure must also submit
827	to background screening in accordance with s. 456.0135. A
828	license may be issued authorizing the performance of procedures
829	of one or more categories.
830	Section 27. Present paragraphs (b) through (k) of
831	subsection (4) of section 483.901, Florida Statutes, are

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redesignated as paragraphs (c) through (l), respectively, a new

paragraph (b) is added to that subsection, and paragraph (a) of that subsection is amended, to read:

483.901 Medical physicists; definitions; licensure.

- (4) LICENSE REQUIRED.—An individual may not engage in the practice of medical physics, including the specialties of diagnostic radiological physics, therapeutic radiological physics, medical nuclear radiological physics, or medical health physics, without a license issued by the department for the appropriate specialty.
- (a) The department shall adopt rules to administer this section which specify license application and renewal fees, continuing education requirements, background screening requirements, and standards for practicing medical physics. The department shall require a minimum of 24 hours per biennium of continuing education offered by an organization approved by the department. The department may adopt rules to specify continuing education requirements for persons who hold a license in more than one specialty.
- (b) Applicants for a medical physicist license must submit to background screening in accordance with s. 456.0135.

Section 28. Subsections (2) and (3) of section 483.914, Florida Statutes, are amended to read:

483.914 Licensure requirements.-

(2) The department shall issue a license, valid for 2 years, to each applicant who <u>meets all of the following</u> criteria:

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(a)	Has	completed	an	application.
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- (b) <u>Has submitted to background screening in accordance</u> with s. 456.0135.
  - (c) Is of good moral character.
- (d)(e) Provides satisfactory documentation of having earned:
- 1. A master's degree from a genetic counseling training program or its equivalent as determined by the Accreditation Council of Genetic Counseling or its successor or an equivalent entity; or
- 2. A doctoral degree from a medical genetics training program accredited by the American Board of Medical Genetics and Genomics or the Canadian College of Medical Geneticists.
  - (e) (d) Has passed the examination for certification as:
- 1. A genetic counselor by the American Board of Genetic Counseling, Inc., the American Board of Medical Genetics and Genomics, or the Canadian Association of Genetic Counsellors; or
- 2. A medical or clinical geneticist by the American Board of Medical Genetics and Genomics or the Canadian College of Medical Geneticists.
- (3) The department may issue a temporary license for up to 2 years to an applicant who meets all requirements for licensure except for the certification examination requirement imposed under paragraph (2)(e) (2)(d) and is eligible to sit for that certification examination.
  - Section 29. Subsection (1) of section 484.007, Florida

Statutes, is amended to read:

484.007 Licensure of opticians; permitting of optical establishments.—

- (1) Any person desiring to practice opticianry shall apply to the department, upon forms prescribed by it, to take a licensure examination. The department shall examine each applicant who the board certifies meets all of the following criteria:
- (a) Has completed the application form and remitted a nonrefundable application fee set by the board, in the amount of \$100 or less, and an examination fee set by the board, in the amount of \$325 plus the actual per applicant cost to the department for purchase of portions of the examination from the American Board of Opticianry or a similar national organization, or less, and refundable if the board finds the applicant ineligible to take the examination.
- (b) <u>Submits to background screening in accordance with s.</u> 456.0135.
  - (c) Is not less than 18 years of age ...
- (d)(e) Is a graduate of an accredited high school or possesses a certificate of equivalency of a high school education.; and
- $\underline{\text{(e)1.}(d)1.}$  Has received an associate degree, or its equivalent, in opticianry from an educational institution the curriculum of which is accredited by an accrediting agency recognized and approved by the United States Department of

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Education or the Council on Postsecondary Education or approved by the board;

- 2. Is an individual licensed to practice the profession of opticianry pursuant to a regulatory licensing law of another state, territory, or jurisdiction of the United States, who has actively practiced in such other state, territory, or jurisdiction for more than 3 years immediately preceding application, and who meets the examination qualifications as provided in this subsection;
- 3. Is an individual who has actively practiced in another state, territory, or jurisdiction of the United States for more than 5 years immediately preceding application and who provides tax or business records, affidavits, or other satisfactory documentation of such practice and who meets the examination qualifications as provided in this subsection; or
- 4. Has registered as an apprentice with the department and paid a registration fee not to exceed \$60, as set by rule of the board. The apprentice shall complete 6,240 hours of training under the supervision of an optician licensed in this state for at least 1 year or of a physician or optometrist licensed under the laws of this state. These requirements must be met within 5 years after the date of registration. However, any time spent in a recognized school may be considered as part of the apprenticeship program provided herein. The board may establish administrative processing fees sufficient to cover the cost of administering apprentice rules adopted as promulgated by the

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937	board.
938	Section 30. Subsection (2) of section 484.045, Florida
939	Statutes, is amended to read:
940	484.045 Licensure by examination.—
941	(2) The department shall license each applicant who the
942	board certifies meets all of the following criteria:
943	(a) Has completed the application form and remitted the
944	required fees.
945	(b) Has submitted to background screening in accordance
946	with s. 456.0135.
947	(c) Is of good moral character.
948	(d)(c) Is 18 years of age or older.
949	(e)(d) Is a graduate of an accredited high school or its
950	equivalent.
951	(f)1.(e)1. Has met the requirements of the training
952	program; or
953	2.a. Has a valid, current license as a hearing aid
954	specialist or its equivalent from another state and has been
955	actively practicing in such capacity for at least 12 months; or
956	b. Is currently certified by the National Board for
957	Certification in Hearing Instrument Sciences and has been
958	actively practicing for at least 12 months.
959	(g)(f) Has passed an examination, as prescribed by board
960	rule.
961	(h)(g) Has demonstrated, in a manner designated by rule of

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the board, knowledge of state laws and rules relating to the

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fitting and dispensing of prescription hearing aids.

Section 31. Section 486.031, Florida Statutes, is amended to read:

486.031 Physical therapist; licensing requirements.—To be eligible for licensing as a physical therapist, an applicant must meet all of the following criteria:

- (1) Be at least 18 years old.  $\div$
- (2) Be of good moral character.
- (3) Have submitted to background screening in accordance with s. 456.0135.; and
- (4)(a)(3)(a) Have been graduated from a school of physical therapy which has been approved for the educational preparation of physical therapists by the appropriate accrediting agency recognized by the Council for Higher Education Accreditation, or its successor entity, Commission on Recognition of Postsecondary Accreditation or the United States Department of Education at the time of her or his graduation and have passed, to the satisfaction of the board, the American Registry Examination prior to 1971 or a national examination approved by the board to determine her or his fitness for practice as a physical therapist as hereinafter provided;
- (b) Have received a diploma from a program in physical therapy in a foreign country and have educational credentials deemed equivalent to those required for the educational preparation of physical therapists in this country, as recognized by the appropriate agency as identified by the board,

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and have passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist as hereinafter provided; or

- (c) Be entitled to licensure without examination as provided in s. 486.081.
- 994 Section 32. Section 486.102, Florida Statutes, is amended 995 to read:
  - 486.102 Physical therapist assistant; licensing requirements.—To be eligible for licensing by the board as a physical therapist assistant, an applicant must meet all of the following criteria:
    - (1) Be at least 18 years old. ÷
    - (2) Be of good moral character.
  - (3) Have submitted to background screening in accordance with s. 456.0135.; and
  - (4) (a) (3) (a) Have been graduated from a school giving a course of not less than 2 years for physical therapist assistants, which has been approved for the educational preparation of physical therapist assistants by the appropriate accrediting agency recognized by the Council for Higher Education Accreditation, or its successor entity, Commission on Recognition of Postsecondary Accreditation or the United States Department of Education, at the time of her or his graduation and have passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist assistant as hereinafter provided;

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(b) Have <del>been</del> graduated from a school giving a course for
physical therapist assistants in a foreign country and have
educational credentials deemed equivalent to those required for
the educational preparation of physical therapist assistants in
this country, as recognized by the appropriate agency as
identified by the board, and passed to the satisfaction of the
board an examination to determine her or his fitness for
practice as a physical therapist assistant as hereinafter
provided;

- (c) Be entitled to licensure without examination as provided in s. 486.107; or
- (d) Have been enrolled between July 1, 2014, and July 1, 2016, in a physical therapist assistant school in this state which was accredited at the time of enrollment; and
- 1. Have been graduated or be eligible to graduate from such school no later than July 1, 2018; and
- 2. Have passed to the satisfaction of the board an examination to determine his or her fitness for practice as a physical therapist assistant as provided in s. 486.104.

Section 33. Present paragraphs (b), (c), and (d) of subsection (1) of section 490.005, Florida Statutes, are redesignated as paragraphs (c), (d), and (e), respectively, a new paragraph (b) is added to that subsection, and subsection (2) is amended, to read:

490.005 Licensure by examination.-

(1) Any person desiring to be licensed as a psychologist

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shall apply to the department to take the licensure examination. The department shall license each applicant whom the board certifies has met all of the following requirements:

- (b) Submitted to background screening in accordance with s. 456.0135.
- (2) Any person desiring to be licensed as a school psychologist shall apply to the department to take the licensure examination. The department shall license each applicant who the department certifies has met all of the following requirements:
- (a) Satisfactorily completed the application form and submitted a nonrefundable application fee not to exceed \$250 and an examination fee sufficient to cover the per applicant cost to the department for development, purchase, and administration of the examination, but not to exceed \$250 as set by department rule.
- (b) <u>Submitted to background screening in accordance with</u> s. 456.0135.
- (c) Submitted satisfactory proof to the department that the applicant:
- 1. Has received a doctorate, specialist, or equivalent degree from a program primarily psychological in nature and has completed 60 semester hours or 90 quarter hours of graduate study, in areas related to school psychology as defined by rule of the department, from a college or university which at the time the applicant was enrolled and graduated was accredited by an accrediting agency recognized and approved by the Council for

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Higher Education Accreditation or its successor organization or from an institution that is a member in good standing with the Association of Universities and Colleges of Canada.

- 2. Has had a minimum of 3 years of experience in school psychology, 2 years of which must be supervised by an individual who is a licensed school psychologist or who has otherwise qualified as a school psychologist supervisor, by education and experience, as set forth by rule of the department. A doctoral internship may be applied toward the supervision requirement.
- 3. Has passed an examination provided by the department.

  Section 34. Present paragraphs (b) and (c) of subsection

  (1) of section 490.0051, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, and a new paragraph (b) is added to that subsection, to read:

490.0051 Provisional licensure; requirements.-

- (1) The department shall issue a provisional psychology license to each applicant whom the board certifies has met all of the following criteria:
- (b) Submitted to background screening in accordance with s. 456.0135.

Section 35. Subsection (1) of section 490.006, Florida Statutes, is amended to read:

490.006 Licensure by endorsement.

(1) The department shall license a person as a psychologist or school psychologist who, upon applying to the department, submitting to background screening in accordance

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with s. 456.0135, and remitting the appropriate fee, demonstrates to the department or, in the case of psychologists, to the board that the applicant:

- (a) Is a diplomate in good standing with the American Board of Professional Psychology, Inc.; or
- (b) Possesses a doctoral degree in psychology and has at least 10 years of experience as a licensed psychologist in any jurisdiction or territory of the United States within the 25 years preceding the date of application.

Section 36. Subsections (1), (2), (4), and (6) of section 491.0045, Florida Statutes, are amended to read:

491.0045 Intern registration; requirements.-

- (1) An individual who has not satisfied the postgraduate or post-master's level experience requirements, as specified in s. 491.005(1)(d), (3)(d), or (4)(d) s. 491.005(1)(e), (3)(e), or (4)(e), must register as an intern in the profession for which he or she is seeking licensure before commencing the post-master's experience requirement or an individual who intends to satisfy part of the required graduate-level practicum, internship, or field experience, outside the academic arena for any profession, and must register as an intern in the profession for which he or she is seeking licensure before commencing the practicum, internship, or field experience.
- (2) The department shall register as a clinical social worker intern, marriage and family therapist intern, or mental health counselor intern each applicant who the board certifies

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1119 has met all of the following criteria:

- (a) Completed the application form and remitted a nonrefundable application fee not to exceed \$200, as set by board rule.  $\div$
- (b) <u>Submitted to background screening in accordance with</u> s. 456.0135.
- $\underline{\text{(c)}}$ 1. Completed the education requirements as specified in  $\underline{\text{s. 491.005(1)(d)}}$ ,  $\underline{\text{(3)(d)}}$ , or  $\underline{\text{(4)(d)}}$   $\underline{\text{s. 491.005(1)(c)}}$ ,  $\underline{\text{(3)(c)}}$ , or  $\underline{\text{(4)(c)}}$  for the profession for which he or she is applying for licensure, if needed; and
- 2. Submitted an acceptable supervision plan, as determined by the board, for meeting the practicum, internship, or field work required for licensure that was not satisfied in his or her graduate program.
  - (d) (c) Identified a qualified supervisor.
- (4) An individual who fails to comply with this section may not be granted a license under this chapter, and any time spent by the individual completing the experience requirement as specified in  $\underline{s}$ .  $\underline{491.005(1)(d)}$ ,  $\underline{(3)(d)}$ , or  $\underline{(4)(d)}$   $\underline{s}$ .  $\underline{491.005(1)(c)}$ ,  $\underline{(3)(c)}$ , or  $\underline{(4)(c)}$  before registering as an intern does not count toward completion of the requirement.
- (6) Any registration issued after March 31, 2017, expires 60 months after the date it is issued. The board may make a one-time exception to the requirements of this subsection in emergency or hardship cases, as defined by board rule, if the candidate has passed the theory and practice examination

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described in <u>s. 491.005(1)(e)</u>, (3)(e), and (4)(e) <del>s.</del>  $\frac{491.005(1)(d)}{(d)}$ , (3)(d), and (4)(d).

Section 37. Subsection (2) of section 491.0046, Florida Statutes, is amended to read:

491.0046 Provisional license; requirements.-

- (2) The department shall issue a provisional clinical social worker license, provisional marriage and family therapist license, or provisional mental health counselor license to each applicant who the board certifies has met all of the following criteria:
- (a) Completed the application form and remitted a nonrefundable application fee not to exceed \$100, as set by board rule:  $\frac{\cdot}{\cdot}$  and
- (b) Submitted to background screening in accordance with s. 456.0135.
- (c) Earned a graduate degree in social work, a graduate degree with a major emphasis in marriage and family therapy or a closely related field, or a graduate degree in a major related to the practice of mental health counseling.; and
  - (d) (c) Met the following minimum coursework requirements:
- 1. For clinical social work, a minimum of 15 semester hours or 22 quarter hours of the coursework required by  $\underline{s}$ .  $\underline{491.005(1)(c)2.b.}$   $\underline{s}$ .  $\underline{491.005(1)(b)2.b.}$
- 2. For marriage and family therapy, 10 of the courses required by  $\underline{s. 491.005(3)(c)}$   $\underline{s. 491.005(3)(b)}$ , as determined by the board, and at least 6 semester hours or 9 quarter hours of

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the course credits must have been completed in the area of marriage and family systems, theories, or techniques.

3. For mental health counseling, a minimum of seven of the courses required under  $\underline{s. 491.005(4)(c)1.a., b., or c.}$   $\underline{s.}$   $\underline{491.005(4)(b)1.a.-c.}$ 

Section 38. Subsections (1) through (4) of section 491.005, Florida Statutes, are amended to read:

491.005 Licensure by examination.

- (1) CLINICAL SOCIAL WORK.—Upon verification of documentation and payment of a fee not to exceed \$200, as set by board rule, the department shall issue a license as a clinical social worker to an applicant whom the board certifies has met all of the following criteria:
  - (a) Submitted an application and paid the appropriate fee.
- (b) <u>Submitted to background screening in accordance with</u> s. 456.0135.
- (c)1. Received a doctoral degree in social work from a graduate school of social work which at the time the applicant graduated was accredited by an accrediting agency recognized by the United States Department of Education or received a master's degree in social work from a graduate school of social work which at the time the applicant graduated:
  - a. Was accredited by the Council on Social Work Education;
- b. Was accredited by the Canadian Association for SocialWork Education; or
  - c. Has been determined to have been a program equivalent

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to programs approved by the Council on Social Work Education by the Foreign Equivalency Determination Service of the Council on Social Work Education. An applicant who graduated from a program at a university or college outside of the United States or Canada must present documentation of the equivalency determination from the council in order to qualify.

- 2. The applicant's graduate program emphasized direct clinical patient or client health care services, including, but not limited to, coursework in clinical social work, psychiatric social work, medical social work, social casework, psychotherapy, or group therapy. The applicant's graduate program must have included all of the following coursework:
- a. A supervised field placement which was part of the applicant's advanced concentration in direct practice, during which the applicant provided clinical services directly to clients.
- b. Completion of 24 semester hours or 32 quarter hours in theory of human behavior and practice methods as courses in clinically oriented services, including a minimum of one course in psychopathology, and no more than one course in research, taken in a school of social work accredited or approved pursuant to subparagraph 1.
- 3. If the course title which appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant provided additional documentation, including, but not limited to, a syllabus or catalog description

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- (d) (c) Completed at least 2 years of clinical social work experience, which took place subsequent to completion of a graduate degree in social work at an institution meeting the accreditation requirements of this section, under the supervision of a licensed clinical social worker or the equivalent who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If the applicant's graduate program was not a program which emphasized direct clinical patient or client health care services as described in subparagraph (c)2.  $\frac{(b)2.}{}$ , the supervised experience requirement must take place after the applicant has completed a minimum of 15 semester hours or 22 quarter hours of the coursework required. A doctoral internship may be applied toward the clinical social work experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.
- $\underline{\text{(e)}}$  Passed a theory and practice examination designated by board rule.
- (f) (e) Demonstrated, in a manner designated by board rule, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

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(2) CLINICAL SOCIAL WORK.-

- (a) Notwithstanding the provisions of paragraph (1)(c) (1)(b), coursework which was taken at a baccalaureate level shall not be considered toward completion of education requirements for licensure unless an official of the graduate program certifies in writing on the graduate school's stationery that a specific course, which students enrolled in the same graduate program were ordinarily required to complete at the graduate level, was waived or exempted based on completion of a similar course at the baccalaureate level. If this condition is met, the board shall apply the baccalaureate course named toward the education requirements.
- (b) An applicant from a master's or doctoral program in social work which did not emphasize direct patient or client services may complete the clinical curriculum content requirement by returning to a graduate program accredited by the Council on Social Work Education or the Canadian Association of Schools of Social Work, or to a clinical social work graduate program with comparable standards, in order to complete the education requirements for examination. However, a maximum of 6 semester or 9 quarter hours of the clinical curriculum content requirement may be completed by credit awarded for independent study coursework as defined by board rule.
- (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of documentation and payment of a fee not to exceed \$200, as set by board rule, the department shall issue a license as a marriage

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and family therapist to an applicant whom the board certifies
has met all of the following criteria:

- (a) Submitted an application and paid the appropriate fee.
- (b) <u>Submitted to background screening in accordance with</u> s. 456.0135.
  - (c)1. Attained one of the following:
- a. A minimum of a master's degree in marriage and family therapy from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education.
- b. A minimum of a master's degree with a major emphasis in marriage and family therapy or a closely related field from a university program accredited by the Council on Accreditation of Counseling and Related Educational Programs and graduate courses approved by the board.
- c. A minimum of a master's degree with an emphasis in marriage and family therapy or a closely related field, with a degree conferred before September 1, 2027, from an institutionally accredited college or university and graduate courses approved by the board.
- 2. If the course title that appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant provided additional documentation, including, but not limited to, a syllabus or catalog description published for the course. The required master's degree must have been received in an institution of higher education that, at the time the applicant graduated, was fully accredited by an

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institutional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization or was a member in good standing with Universities Canada, or an institution of higher education located outside the United States and Canada which, at the time the applicant was enrolled and at the time the applicant graduated, maintained a standard of training substantially equivalent to the standards of training of those institutions in the United States which are accredited by an institutional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization. Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as professional marriage and family therapists or psychotherapists. The applicant has the burden of establishing that the requirements of this provision have been met, and the board shall require documentation, such as an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country. An applicant with a master's degree from a program that did not emphasize marriage and family therapy may complete the coursework requirement in a training institution fully accredited by the Commission on Accreditation for Marriage and Family Therapy Education recognized by the United States

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(d) (e) Completed at least 2 years of clinical experience during which 50 percent of the applicant's clients were receiving marriage and family therapy services, which must be at the post-master's level under the supervision of a licensed marriage and family therapist with at least 5 years of experience, or the equivalent, who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major emphasis in marriage and family therapy or a closely related field which did not include all of the coursework required by paragraph (c) (b), credit for the post-master's level clinical experience may not commence until the applicant has completed a minimum of 10 of the courses required by paragraph (c) (b), as determined by the board, and at least 6 semester hours or 9 quarter hours of the course credits must have been completed in the area of marriage and family systems, theories, or techniques. Within the 2 years of required experience, the applicant shall provide direct individual, group, or family therapy and counseling to cases including those involving unmarried dyads, married couples, separating and divorcing couples, and family groups that include children. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are

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1353 provided by a registered intern in a private practice setting.

- (e)(d) Passed a theory and practice examination designated by board rule.
- (f)(e) Demonstrated, in a manner designated by board rule, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.

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

- (4) MENTAL HEALTH COUNSELING.—Upon verification of documentation and payment of a fee not to exceed \$200, as set by board rule, the department shall issue a license as a mental health counselor to an applicant whom the board certifies has met all of the following criteria:
  - (a) Submitted an application and paid the appropriate fee.
- (b) <u>Submitted to background screening in accordance with</u> s. 456.0135.
- (c)1. Attained a minimum of an earned master's degree from a mental health counseling program accredited by the Council for the Accreditation of Counseling and Related Educational Programs which consists of at least 60 semester hours or 80 quarter hours of clinical and didactic instruction, including a course in human sexuality and a course in substance abuse. If the master's

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degree is earned from a program related to the practice of mental health counseling which is not accredited by the Council for the Accreditation of Counseling and Related Educational Programs, then the coursework and practicum, internship, or fieldwork must consist of at least 60 semester hours or 80 quarter hours and meet all of the following requirements:

- a. Thirty-three semester hours or 44 quarter hours of graduate coursework, which must include a minimum of 3 semester hours or 4 quarter hours of graduate-level coursework in each of the following 11 content areas: counseling theories and practice; human growth and development; diagnosis and treatment of psychopathology; human sexuality; group theories and practice; individual evaluation and assessment; career and lifestyle assessment; research and program evaluation; social and cultural foundations; substance abuse; and legal, ethical, and professional standards issues in the practice of mental health counseling. Courses in research, thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.
- b. A minimum of 3 semester hours or 4 quarter hours of graduate-level coursework addressing diagnostic processes, including differential diagnosis and the use of the current diagnostic tools, such as the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders. The graduate program must have emphasized the common core curricular experience.

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- c. The equivalent, as determined by the board, of at least 700 hours of university-sponsored supervised clinical practicum, internship, or field experience that includes at least 280 hours of direct client services, as required in the accrediting standards of the Council for Accreditation of Counseling and Related Educational Programs for mental health counseling programs. This experience may not be used to satisfy the postmaster's clinical experience requirement.
- 2. Provided additional documentation if a course title that appears on the applicant's transcript does not clearly identify the content of the coursework. The documentation must include, but is not limited to, a syllabus or catalog description published for the course.

Education and training in mental health counseling must have 1419 1420 been received in an institution of higher education that, at the 1421 time the applicant graduated, was fully accredited by an 1422 institutional accrediting body recognized by the Council for Higher Education Accreditation or its successor organization or 1423 1424 was a member in good standing with Universities Canada, or an 1425 institution of higher education located outside the United States and Canada which, at the time the applicant was enrolled 1426 1427 and at the time the applicant graduated, maintained a standard 1428 of training substantially equivalent to the standards of training of those institutions in the United States which are 1429

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accredited by an institutional accrediting body recognized by

the Council for Higher Education Accreditation or its successor organization. Such foreign education and training must have been received in an institution or program of higher education officially recognized by the government of the country in which it is located as an institution or program to train students to practice as mental health counselors. The applicant has the burden of establishing that the requirements of this provision have been met, and the board shall require documentation, such as an evaluation by a foreign equivalency determination service, as evidence that the applicant's graduate degree program and education were equivalent to an accredited program in this country. Beginning July 1, 2025, an applicant must have a master's degree from a program that is accredited by the Council for Accreditation of Counseling and Related Educational Programs, the Masters in Psychology and Counseling Accreditation Council, or an equivalent accrediting body which consists of at least 60 semester hours or 80 quarter hours to apply for licensure under this paragraph.

(d) (e) Completed at least 2 years of clinical experience in mental health counseling, which must be at the post-master's level under the supervision of a licensed mental health counselor or the equivalent who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major related to the

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practice of mental health counseling which did not include all the coursework required under sub-subparagraphs (c)1.a and b. (b)1.a. and b., credit for the post-master's level clinical experience may not commence until the applicant has completed a minimum of seven of the courses required under sub-subparagraphs (c)1.a and b. (b)1.a. and b., as determined by the board, one of which must be a course in psychopathology or abnormal psychology. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

- (e)(d) Passed a theory and practice examination designated by board rule.
- (f)(e) Demonstrated, in a manner designated by board rule, knowledge of the laws and rules governing the practice of clinical social work, marriage and family therapy, and mental health counseling.
- Section 39. Subsection (1) of section 491.006, Florida Statutes, is amended to read:
  - 491.006 Licensure or certification by endorsement.-
- (1) The department shall license or grant a certificate to a person in a profession regulated by this chapter who, upon applying to the department and remitting the appropriate fee, demonstrates to the board that he or she:
- (a) Has demonstrated, in a manner designated by rule of the board, knowledge of the laws and rules governing the

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practice of clinical social work, marriage and family therapy, and mental health counseling.

- (b) <u>Submitted to background screening in accordance with</u> s. 456.0135.
- (c) 1. Holds an active valid license to practice and has actively practiced the licensed profession in another state for 3 of the last 5 years immediately preceding licensure;
- 2. Has passed a substantially equivalent licensing examination in another state or has passed the licensure examination in this state in the profession for which the applicant seeks licensure; and
- 3. Holds a license in good standing, is not under investigation for an act that would constitute a violation of this chapter, and has not been found to have committed any act that would constitute a violation of this chapter.

The fees paid by any applicant for certification as a master social worker under this section are nonrefundable.

Section 40. Section 486.025, Florida Statutes, is amended to read:

486.025 Powers and duties of the Board of Physical Therapy Practice.—The board may administer oaths, summon witnesses, take testimony in all matters relating to its duties under this chapter, establish or modify minimum standards of practice of physical therapy as defined in s. 486.021, including, but not limited to, standards of practice for the performance of dry

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1509	needling by physical therapists, and adopt rules pursuant to ss.	
1510	120.536(1) and $120.54$ to implement this chapter. The board may	
1511	also review the standing and reputability of any school or	
1512	college offering courses in physical therapy and whether the	
1513	courses of such school or college in physical therapy meet the	
1514	standards established by the appropriate accrediting agency	
1515	referred to in <u>s. 486.031(4)(a)</u> s. $486.031(3)(a)$ . In determining	
1516	the standing and reputability of any such school and whether the	
1517	school and courses meet such standards, the board may	
1518	investigate and personally inspect the school and courses.	
1519	Section 41. Paragraph (b) of subsection (1) of section	
1520	486.0715, Florida Statutes, is amended to read:	
1521	486.0715 Physical therapist; issuance of temporary	
1522	permit.—	
1523	(1) The board shall issue a temporary physical therapist	
1524	permit to an applicant who meets the following requirements:	
1525	(b) Is a graduate of an approved United States physical	
1526	therapy educational program and meets all the eligibility	
1527	requirements for licensure under chapter ch. 456, s. $486.031(1)$ -	
1528	(4) (a) s. $486.031$ (1) - (3) (a), and related rules, except passage	
1529	of a national examination approved by the board is not required.	
1530	Section 42. Paragraph (b) of subsection (1) of section	
1531	486.1065, Florida Statutes, is amended to read:	
1532	486.1065 Physical therapist assistant; issuance of	
1533	temporary permit.—	

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(1) The board shall issue a temporary physical therapist

1535 assistant permit to an applicant who meets the following requirements:

- Is a graduate of an approved United States physical (b) therapy assistant educational program and meets all the eligibility requirements for licensure under chapter ch. 456, s. 486.102(1)-(4)(a) s. 486.102(1)-(3)(a), and related rules, except passage of a national examination approved by the board is not required.
- Section 43. Subsections (15), (16), and (17) of section 491.003, Florida Statutes, are amended to read:
  - 491.003 Definitions.—As used in this chapter:
- "Registered clinical social worker intern" means a person registered under this chapter who is completing the postgraduate clinical social work experience requirement specified in s.  $491.005(1)(d) \frac{s. 491.005(1)(c)}{s}$ .
- "Registered marriage and family therapist intern" means a person registered under this chapter who is completing the post-master's clinical experience requirement specified in s. 491.005(3)(d) s. 491.005(3)(c).
- "Registered mental health counselor intern" means a (17)person registered under this chapter who is completing the postmaster's clinical experience requirement specified in s. 491.005(4)(d) s. 491.005(4)(c).
- Section 44. For the 2024-2025 Fiscal Year, nine full-time equivalent positions, with associated salary rate of 714,651 are authorized and the sums of \$1,164,134 in recurring and \$59,931

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1561	in nonrecurring funds from the Medical Quality Assurance Trust
1562	Fund are appropriated to the Department of Health for the
1563	purpose of implementing this act.

Section 45. This act shall take effect July 1, 2024.

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