

By Senator Garcia

38-01394-13

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1                                   A bill to be entitled  
2           An act relating to the Department of Health; amending  
3           s. 322.142, F.S.; providing that certain exempt  
4           records held by the Department of Highway Safety and  
5           Motor Vehicles be provided to the Department of Health  
6           to facilitate the issuance of a license; amending s.  
7           381.0022, F.S.; providing that the Department of  
8           Health may share certain confidential and exempt  
9           information with the Agency for Health Care  
10          Administration for certain purposes; creating s.  
11          381.791, F.S.; authorizing the department to adopt  
12          rules to administer the Charlie Mack Overstreet Brain  
13          or Spinal Cord Injuries Act; amending s. 395.3025,  
14          F.S.; providing that patient records may be disclosed  
15          without patient consent to the department under  
16          certain circumstances and prescribing the use of such  
17          records; amending s. 456.013, F.S.; conforming  
18          provisions to changes made by the act; revising  
19          requirements related to the physical characteristics  
20          of a license issued by the department; amending s.  
21          456.025, F.S.; conforming provisions to changes made  
22          by the act; amending s. 456.031, F.S.; revising  
23          requirements for a licensee's completion of a domestic  
24          violence course; amending s. 456.035, F.S.; requiring  
25          a licensee to provide the department with his or her  
26          e-mail address; providing that service to a licensee's  
27          e-mail address constitutes official and sufficient  
28          notice under certain circumstances; creating s.  
29          456.0361, F.S.; providing a definition for the term

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30 "monitor"; providing that the department may not renew  
31 a license until the licensee demonstrates compliance  
32 with continuing education requirements; providing that  
33 additional penalties may be imposed for failure to  
34 comply with continuing education requirements;  
35 authorizing the department to adopt rules; amending s.  
36 456.038, F.S.; providing that the department may  
37 provide renewal and cancellation notices to a  
38 licensee's e-mail address; amending s. 456.072, F.S.;  
39 revising procedures to determine costs recoverable by  
40 the department in a disciplinary action; amending s.  
41 458.319, F.S.; requiring physicians to complete  
42 certain continuing medical education requirements;  
43 authorizing the Board of Medicine to adopt certain  
44 rules regarding continuing medical education  
45 requirements; amending s. 464.203, F.S.; conforming  
46 provisions to changes made by the act; repealing s.  
47 464.2085, F.S., relating to the Council on Certified  
48 Nursing Assistants; repealing s. 466.032(2), F.S.,  
49 relating to notice provided by the department to  
50 dental laboratories; amending s. 467.009, F.S.;  
51 revising accreditation requirements for midwifery  
52 programs; repealing s. 468.1735, F.S., relating to the  
53 issuance of a provisional license for a nursing home  
54 administrator; amending s. 468.503, F.S.; revising the  
55 definition of the term "registered dietician";  
56 amending s. 468.505, F.S.; updating the name of an  
57 accrediting organization; repealing s. 480.033(5),  
58 F.S.; removing the definition of the term "apprentice"

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59 as it relates to massage therapy; amending s. 480.041,  
60 F.S.; revising qualifications for licensure as a  
61 massage therapist; deleting a provision requiring the  
62 Board of Massage Therapy to adopt rules establishing a  
63 training program for apprentices; conforming a cross-  
64 reference; amending s. 480.042, F.S.; revising  
65 procedures and retention of records related to massage  
66 therapy licensure examination; amending s. 480.044,  
67 F.S.; eliminating fees for massage therapy  
68 apprentices; amending s. 483.901, F.S.; conforming  
69 definitions to changes made by the act; deleting  
70 provisions creating the Advisory Council of Medical  
71 Physicists; transferring powers of the council to the  
72 department; requiring the department to adopt rules  
73 and develop certain standards; conforming provisions  
74 to changes made by the act; amending s. 921.0022,  
75 F.S.; conforming a cross-reference; providing an  
76 effective date.

77  
78 Be It Enacted by the Legislature of the State of Florida:

79  
80 Section 1. Subsection (4) of section 322.142, Florida  
81 Statutes, is amended to read:

82 322.142 Color photographic or digital imaged licenses.—

83 (4) The department may maintain a film negative or print  
84 file. The department shall maintain a record of the digital  
85 image and signature of the licensees, together with other data  
86 required by the department for identification and retrieval.  
87 Reproductions from the file or digital record are exempt from

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88 the provisions of s. 119.07(1) and may ~~shall~~ be made and issued  
89 only for departmental administrative purposes; for the issuance  
90 of duplicate licenses; in response to law enforcement agency  
91 requests; to the Department of Business and Professional  
92 Regulation and the Department of Health pursuant to an  
93 interagency agreement for the purpose of accessing digital  
94 images for reproduction of licenses issued by the Department of  
95 Business and Professional Regulation or the Department of  
96 Health; to the Department of State pursuant to an interagency  
97 agreement to facilitate determinations of eligibility of voter  
98 registration applicants and registered voters in accordance with  
99 ss. 98.045 and 98.075; to the Department of Revenue pursuant to  
100 an interagency agreement for use in establishing paternity and  
101 establishing, modifying, or enforcing support obligations in  
102 Title IV-D cases; to the Department of Children and Family  
103 Services pursuant to an interagency agreement to conduct  
104 protective investigations under part III of chapter 39 and  
105 chapter 415; to the Department of Children and Family Services  
106 pursuant to an interagency agreement specifying the number of  
107 employees in each of that department's regions to be granted  
108 access to the records for use as verification of identity to  
109 expedite the determination of eligibility for public assistance  
110 and for use in public assistance fraud investigations; to the  
111 Department of Financial Services pursuant to an interagency  
112 agreement to facilitate the location of owners of unclaimed  
113 property, the validation of unclaimed property claims, and the  
114 identification of fraudulent or false claims; or to district  
115 medical examiners pursuant to an interagency agreement for the  
116 purpose of identifying a deceased individual, determining cause

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117 of death, and notifying next of kin of any investigations,  
118 including autopsies and other laboratory examinations,  
119 authorized in s. 406.011.

120 Section 2. Section 381.0022, Florida Statutes, is amended  
121 to read:

122 381.0022 Sharing confidential or exempt information.—

123 (1) Notwithstanding any ~~other provision of~~ law to the  
124 contrary, the Department of Health and the Department of  
125 Children and Family Services may share confidential information  
126 or information exempt from disclosure under chapter 119  
127 pertaining to an ~~on any~~ individual who is or has been the  
128 subject of a program within the jurisdiction of each agency.  
129 Information so exchanged remains confidential or exempt as  
130 provided by law.

131 (2) Notwithstanding any ~~other provision of~~ law to the  
132 contrary, the Department of Health and the Agency for Health  
133 Care Administration may share confidential information or  
134 information exempt from disclosure under chapter 119 pertaining  
135 to an ~~on any~~ individual who ~~is or has been a Medicaid recipient~~  
136 ~~and~~ is or was the subject of a program within the jurisdiction  
137 of the Department of Health and the Agency for Health Care  
138 Administration, for the purpose of requesting, receiving, or  
139 auditing payment for services, or eligibility determination.  
140 Information so exchanged remains confidential or exempt as  
141 provided by law.

142 Section 3. Section 381.791, Florida Statutes, is created to  
143 read:

144 381.791 Rulemaking.—The department may adopt rules to  
145 administer ss. 381.739-381.79.

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146 Section 4. Paragraph (e) of subsection (4) of section  
147 395.3025, Florida Statutes, is amended to read:

148 395.3025 Patient and personnel records; copies;  
149 examination.—

150 (4) Patient records are confidential and may ~~must~~ not be  
151 disclosed without the consent of the patient or his or her legal  
152 representative, but appropriate disclosure may be made without  
153 such consent to:

154 (e) The department, ~~agency~~ upon subpoena issued pursuant to  
155 s. 456.071, ~~but~~ The records obtained ~~thereby~~ must be used  
156 solely for the purpose of the agency, the department, and the  
157 appropriate professional board in an ~~its~~ investigation,  
158 prosecution, and appeal of disciplinary proceedings. If the  
159 department ~~agency~~ requests copies of the records, the facility  
160 shall charge a fee pursuant to this section ~~no more than its~~  
161 ~~actual copying costs, including reasonable staff time.~~ The  
162 records must be sealed and must not be available to the public  
163 pursuant to s. 119.07(1) or any other statute providing access  
164 to records, nor may they be available to the public as part of  
165 the record of investigation for and prosecution in disciplinary  
166 proceedings made available to the public by the department,  
167 ~~agency~~ or the appropriate regulatory board. However, upon  
168 written request by a practitioner against whom probable cause  
169 has been found, the department shall ~~agency must~~ make available,  
170 ~~upon written request by a practitioner against whom probable~~  
171 ~~cause has been found, any such~~ records that form the basis of  
172 the determination of probable cause.

173 Section 5. Subsections (2) and (6) of section 456.013,  
174 Florida Statutes, are amended to read:

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175 456.013 Department; general licensing provisions.—

176 (2) Before the issuance of a ~~any~~ license, the department  
177 shall charge an initial license fee as determined by the  
178 applicable board or, if there is no board, by rule of the  
179 department. Upon receipt of the appropriate license fee, the  
180 department shall issue a license to a ~~any~~ person certified by  
181 the appropriate board, or its designee, as having met the  
182 licensure requirements imposed by law or rule. ~~The license shall~~  
183 ~~consist of a wallet-size identification card and a wall card~~  
184 ~~measuring 6 1/2 inches by 5 inches.~~ The licensee shall surrender  
185 the license to the department ~~the wallet-size identification~~  
186 ~~card and the wall card~~ if the licensee's license was ~~is~~ issued  
187 in error or is revoked.

188 (6) As a condition of renewal of a license, ~~the Board of~~  
189 ~~Medicine,~~ the Board of Osteopathic Medicine, the Board of  
190 Chiropractic Medicine, and the Board of Podiatric Medicine shall  
191 each require their respective licensees ~~which they respectively~~  
192 ~~regulate~~ to periodically demonstrate their professional  
193 competency by completing at least 40 hours of continuing  
194 education every 2 years. The boards may require by rule that up  
195 to 1 hour of the required 40 or more hours be in the area of  
196 risk management or cost containment. This provision does not  
197 ~~shall not be construed to~~ limit the number of hours that a  
198 licensee may obtain in risk management or cost containment to be  
199 credited toward satisfying the 40 or more required hours. This  
200 provision does not ~~shall not be construed to~~ require the boards  
201 to impose any requirement on licensees except for the completion  
202 of at least 40 hours of continuing education every 2 years. Each  
203 of such boards shall determine whether ~~any~~ specific continuing

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204 education requirements not otherwise mandated by law will ~~shall~~  
205 be mandated and shall approve criteria for, and the content of,  
206 ~~any~~ continuing education mandated by such board. Notwithstanding  
207 any other provision of law, the board, or the department when  
208 there is no board, may approve by rule alternative methods of  
209 obtaining continuing education credits in risk management. The  
210 alternative methods may include attending a board meeting at  
211 which another licensee is disciplined, serving as a volunteer  
212 expert witness for the department in a disciplinary case, or  
213 serving as a member of a probable cause panel following the  
214 expiration of a board member's term. Other boards within the  
215 Division of Medical Quality Assurance, or the department if  
216 there is no board, may adopt rules granting continuing education  
217 hours in risk management for attending a board meeting at which  
218 another licensee is disciplined, for serving as a volunteer  
219 expert witness for the department in a disciplinary case, or for  
220 serving as a member of a probable cause panel following the  
221 expiration of a board member's term.

222 Section 6. Subsection (7) of section 456.025, Florida  
223 Statutes, is amended to read:

224 456.025 Fees; receipts; disposition.-

225 (7) Each board, or the department if there is no board,  
226 shall establish, by rule, a fee not to exceed \$250 for anyone  
227 seeking approval to provide continuing education courses or  
228 programs and shall establish by rule a biennial renewal fee not  
229 to exceed \$250 for the renewal of approval ~~providership~~ of such  
230 courses. The fees collected from continuing education providers  
231 must ~~shall~~ be used for the purposes of reviewing course provider  
232 applications, monitoring the integrity of the courses provided,



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233 covering legal expenses incurred as a result of not granting or  
234 renewing an approval ~~a providership~~, and developing and  
235 maintaining an electronic continuing education tracking system.  
236 ~~The department shall implement an electronic continuing~~  
237 ~~education tracking system for each new biennial renewal cycle~~  
238 ~~for which electronic renewals are implemented after the~~  
239 ~~effective date of this act and shall integrate such system into~~  
240 ~~the licensure and renewal system. All approved continuing~~  
241 ~~education providers shall provide information on course~~  
242 ~~attendance to the department necessary to implement the~~  
243 ~~electronic tracking system. The department shall, by rule,~~  
244 ~~specify the form and procedures by which the information is to~~  
245 ~~be submitted.~~

246 Section 7. Paragraph (a) of subsection (1) of section  
247 456.031, Florida Statutes, is amended to read:

248 456.031 Requirement for instruction on domestic violence.—

249 (1) (a) The appropriate board shall require each person  
250 licensed or certified under chapter 458, chapter 459, part I of  
251 chapter 464, chapter 466, chapter 467, chapter 490, or chapter  
252 491 to complete a 2-hour continuing education course, approved  
253 by the board, on domestic violence, as defined in s. 741.28, as  
254 part of the first renewal after initial licensure or  
255 certification and every third licensure or certification renewal  
256 thereafter ~~every third biennial relicensure or recertification.~~  
257 The course must ~~shall~~ consist of information on the number of  
258 patients in that professional's practice who are likely to be  
259 victims of domestic violence and the number who are likely to be  
260 perpetrators of domestic violence, screening procedures for  
261 determining whether a patient has a ~~any~~ history of being either

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262 a victim or a perpetrator of domestic violence, and instruction  
263 on how to provide such patients with information on, or how to  
264 refer such patients to, resources in the local community, such  
265 as domestic violence centers and other advocacy groups, which  
266 ~~that~~ provide legal aid, shelter, victim counseling, batterer  
267 counseling, or child protection services.

268 Section 8. Section 456.035, Florida Statutes, is amended to  
269 read:

270 456.035 Address of record.—

271 (1) Each licensee of the department is solely responsible  
272 for notifying the department in writing of the licensee's  
273 current mailing address, e-mail address, and place of practice,  
274 as defined by rule of the board or the department if there is no  
275 board. Electronic notification must ~~shall~~ be allowed by the  
276 department; however, it is ~~shall~~ be the responsibility of the  
277 licensee to ensure that the electronic notification was received  
278 by the department. A licensee's failure to notify the department  
279 of a change of address constitutes a violation of this section,  
280 and the licensee may be disciplined by the board or the  
281 department if there is no board.

282 (2) Notwithstanding any other law, service by regular mail  
283 or e-mail to a licensee's mailing last known address or e-mail  
284 address of record with the department constitutes adequate and  
285 sufficient notice to the licensee for ~~any~~ official communication  
286 to the licensee by the board or the department except when other  
287 service is required under s. 456.076.

288 Section 9. Section 456.0361, Florida Statutes, is created  
289 to read:

290 456.0361 Monitoring compliance with continuing education

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291 requirements.-

292 (1) As used in this section, the term "monitor" means the  
293 act of determining whether a licensee is in full compliance with  
294 applicable continuing education requirements at the time of his  
295 or her license renewal.

296 (2) The department shall establish an electronic continuing  
297 education tracking system to monitor licensee compliance with  
298 applicable continuing education requirements and to determine  
299 each licensee's continuing education status and shall integrate  
300 such system into the licensure and renewal system.

301 (3) Notwithstanding any other provision of law, the  
302 department may not renew a license until the licensee has  
303 demonstrated compliance with all applicable continuing education  
304 requirements. This subsection does not prohibit the department  
305 or boards from imposing additional penalties under the  
306 applicable practice act or department rule for failure to comply  
307 with continuing education requirements.

308 (4) The department may adopt rules under ss. 120.536(1) and  
309 120.54 to implement this section.

310 Section 10. Subsection (1) of section 456.038, Florida  
311 Statutes, is amended to read:

312 456.038 Renewal and cancellation notices.-

313 (1) At least 90 days before the end of a licensure cycle,  
314 the department shall:

315 (a) Forward a licensure renewal notification to an active  
316 or inactive status licensee at the licensee's mailing last known  
317 address or e-mail address of record ~~with the department.~~

318 (b) Forward a notice of pending cancellation of licensure  
319 to a delinquent licensee at the licensee's last known address of

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320 record with the department.

321 Section 11. Subsection (4) of section 456.072, Florida  
322 Statutes, is amended to read:

323 456.072 Grounds for discipline; penalties; enforcement.—

324 (4) In addition to ~~any~~ other discipline imposed through  
325 final order, or citation, entered on or after July 1, 2001,  
326 under this section or discipline imposed through final order, or  
327 citation, entered on or after July 1, 2001, for a violation of a  
328 ~~any~~ practice act, the board, or the department when there is no  
329 board, shall assess costs related to the investigation and  
330 prosecution of the case. The costs related to the investigation  
331 and prosecution include, but are not limited to, salaries and  
332 benefits of personnel, costs related to the time spent by the  
333 attorney and other personnel working on the case, and ~~any~~ other  
334 expenses incurred by the department for the case. In order to  
335 prove entitlement to attorney costs for prosecution of the case,  
336 the department shall submit an affidavit from an employee who is  
337 a member of The Florida Bar verifying the reasonableness of the  
338 time spent on the matter and the amount of the attorney costs.

339 The board, or the department when there is no board, shall  
340 determine the amount of costs to be assessed after its  
341 consideration of an affidavit from the department of itemized  
342 costs and ~~any~~ written objections thereto. In any case where the  
343 board or the department imposes a fine or assessment and the  
344 fine or assessment is not paid within a reasonable time, the  
345 reasonable time to be prescribed in the rules of the board, or  
346 the department when there is no board, or in the order assessing  
347 the fines or costs, the department or the Department of Legal  
348 Affairs may contract for the collection of, or bring a civil

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349 action to recover, the fine or assessment.

350 Section 12. Present subsections (2) through (4) of section  
351 458.319, Florida Statutes, are redesignated as subsections (3)  
352 through (5), respectively, and a new subsection (2) is added to  
353 that section, to read:

354 458.319 Renewal of license.—

355 (2) Each licensee shall demonstrate his or her professional  
356 competency by completing at least 40 hours of continuing medical  
357 education every 2 years. Notwithstanding any other provision of  
358 law, the board, by rule, may:

359 (a) Provide that continuing medical education approved by  
360 the American Medical Association satisfies some or all of the  
361 continuing medical education requirements.

362 (b) Mandate specific continuing medical education  
363 requirements.

364 (c) Approve alternative methods of obtaining continuing  
365 medical education credits, including, but not limited to:

366 1. Attending a board meeting at which another licensee is  
367 disciplined;

368 2. Serving as a volunteer expert witness for the department  
369 in a disciplinary case; or

370 3. Serving as a member of a probable cause panel following  
371 the expiration of a board member's term.

372 (d) Provide that up to 25 percent of the required  
373 continuing medical education hours may be fulfilled by the  
374 performance of pro bono services to the indigent, to underserved  
375 populations, or to patients in areas of critical need within the  
376 state where the licensee practices.

377 1. The board shall require that pro bono services be

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378 approved in advance in order to receive credit for continuing  
379 medical education under this paragraph.

380 2. The standard for determining indigence is the standard  
381 recognized by the Federal Poverty Income Guidelines produced by  
382 the United States Department of Health and Human Services.

383 (e) Provide that a portion of the continuing medical  
384 education hours may be fulfilled by performing research in  
385 critical need areas or for training leading to advanced  
386 professional certification. The board may make rules to define  
387 underserved and critical need areas.

388 Section 13. Subsection (7) of section 464.203, Florida  
389 Statutes, is amended to read:

390 464.203 Certified nursing assistants; certification  
391 requirement.-

392 (7) A certified nursing assistant shall complete 12 hours  
393 of inservice training during each calendar year. The certified  
394 nursing assistant is ~~shall be~~ responsible for maintaining  
395 documentation demonstrating compliance with these provisions.  
396 ~~The Council on Certified Nursing Assistants, in accordance with~~  
397 ~~s. 464.2085(2)(b), shall propose rules to implement this~~  
398 ~~subsection.~~

399 Section 14. Section 464.2085, Florida Statutes, is  
400 repealed.

401 Section 15. Subsection (2) of section 466.032, Florida  
402 Statutes, is repealed.

403 Section 16. Subsection (8) of section 467.009, Florida  
404 Statutes, is amended to read:

405 467.009 Midwifery programs; education and training  
406 requirements.-

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407 (8) Nonpublic educational institutions that conduct  
408 approved midwifery programs shall be accredited by a member of  
409 the Council on Higher Education Accreditation or its successor  
410 organization ~~Commission on Recognition of Postsecondary~~  
411 ~~Accreditation~~ and shall be licensed by the Commission for  
412 Independent Education.

413 Section 17. Section 468.1735, Florida Statutes, is  
414 repealed.

415 Section 18. Subsection (11) of section 468.503, Florida  
416 Statutes, is amended to read:

417 468.503 Definitions.—As used in this part:

418 (11) "Registered dietitian" means an individual registered  
419 with the accrediting body of the Academy of Nutrition and  
420 Dietetics or its successor organization ~~the Commission on~~  
421 ~~Dietetic Registration, the accrediting body of the American~~  
422 ~~Dietetic Association.~~

423 Section 19. Subsection (4) of section 468.505, Florida  
424 Statutes, is amended to read:

425 468.505 Exemptions; exceptions.—

426 (4) Notwithstanding any other provision of this part, an  
427 individual registered by the accrediting body of the Academy of  
428 Nutrition and Dietetics or its successor organization ~~Commission~~  
429 ~~on Dietetic Registration of the American Dietetic Association~~  
430 has the right to use the title "Registered Dietitian" and the  
431 designation "R.D."

432 Section 20. Subsection (5) of section 480.033, Florida  
433 Statutes, is repealed.

434 Section 21. Subsections (1) and (4) of section 480.041,  
435 Florida Statutes, are amended to read:

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436 480.041 Massage therapists; qualifications; licensure;  
437 endorsement.-

438 (1) A ~~Any~~ person is qualified for licensure as a massage  
439 therapist under this act who:

440 (a) Is at least 18 years of age or has received a high  
441 school diploma or graduate equivalency diploma;

442 (b) Has completed a course of study at a board-approved  
443 massage school ~~or has completed an apprenticeship program that~~  
444 ~~meets standards adopted by the board;~~ and

445 (c) Has received a passing grade on an examination  
446 administered by the department.

447 (4) The board shall adopt rules:

448 ~~(a) Establishing a minimum training program for~~  
449 ~~apprentices.-~~

450 (a) ~~(b)~~ Providing for educational standards, examination,  
451 and certification for the practice of colonic irrigation, as  
452 defined in s. 480.033(5) ~~s. 480.033(6)~~, by massage therapists.

453 (b) ~~(e)~~ Specifying licensing procedures for practitioners  
454 desiring to be licensed in this state who hold an active license  
455 and have practiced in any other state, territory, or  
456 jurisdiction of the United States or any foreign national  
457 jurisdiction which has licensing standards substantially similar  
458 to, equivalent to, or more stringent than the standards of this  
459 state.

460 Section 22. Subsection (5) of section 480.042, Florida  
461 Statutes, is amended to read:

462 480.042 Examinations.-

463 (5) ~~All licensing examinations shall be conducted in such~~  
464 ~~manner that the applicant shall be known to the department by~~



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465 ~~number until her or his examination is completed and the proper~~  
 466 ~~grade determined.~~ An accurate record of each examination shall  
 467 be maintained ~~shall be made;~~ and that record, together with all  
 468 examination papers, ~~shall be filed with the State Surgeon~~  
 469 ~~General~~ and shall be kept by the testing entities for reference  
 470 and inspection for a period of not less than 2 years immediately  
 471 following the examination.

472 Section 23. Subsection (1) of section 480.044, Florida  
 473 Statutes, is amended to read:

474 480.044 Fees; disposition.—

475 (1) The board shall set fees according to the following  
 476 schedule:

477 (a) Massage therapist application and examination fee: not  
 478 to exceed \$250.

479 (b) Massage therapist initial licensure fee: not to exceed  
 480 \$150.

481 (c) Establishment application fee: not to exceed \$200.

482 (d) Establishment licensure fee: not to exceed \$150.

483 (e) Biennial establishment renewal fee: not to exceed \$150.

484 (f) Biennial massage therapist licensure renewal fee: not  
 485 to exceed \$200.

486 (g) Massage therapist reexamination fee: not to exceed  
 487 \$250.

488 ~~(h) Fee for apprentice: not to exceed \$100.~~

489 (h)~~(i)~~ Colonics examination fee: not to exceed \$100.

490 (i)~~(j)~~ Colonics reexamination fee: not to exceed \$100.

491 (j)~~(k)~~ Application and reactivation for inactive status of  
 492 a massage therapist license fee: not to exceed \$250.

493 (k)~~(l)~~ Renewal fee for inactive status: not to exceed \$250.

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494 Section 24. Present subsections (5) through (10) of section  
495 483.901, Florida Statutes, are redesignated as subsections (4)  
496 through (9), respectively, and present subsections (3) through  
497 (7) of that section are amended, to read:

498 483.901 Medical physicists; definitions; licensure.—

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

500 ~~(a) "Council" means the Advisory Council of Medical~~  
501 ~~Physicists in the Department of Health.~~

502 (a) ~~(b)~~ "Department" means the Department of Health.

503 (b) ~~(c)~~ "Diagnostic radiological physics" means the  
504 specialty of medical physics which deals with the diagnostic  
505 application and safe use of X rays, gamma rays from sealed  
506 sources, ultrasonic radiation, radio frequency radiation, or  
507 magnetic fields, and the use of equipment associated with the  
508 production, use, measurement, and evaluation of the radiation  
509 and the quality of the diagnostic image resulting from its  
510 production and use.

511 (c) ~~(d)~~ "License" means a certificate issued by the  
512 department which authorizes the holder to practice medical  
513 physics.

514 (d) ~~(e)~~ "Licensed medical physicist" means a person who  
515 holds a license issued under this section.

516 (e) ~~(f)~~ "Medical health physics" means the specialty of  
517 medical physics which deals with the safe use of X rays, gamma  
518 rays, electron or other charged particle beams, neutrons,  
519 radionuclides, and radiation from sealed sources, for both  
520 diagnostic and therapeutic purposes in human beings and the use  
521 of equipment required to perform appropriate tests and  
522 measurements that do not involve the direct application of

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523 radiation to humans for diagnostic or therapeutic procedures.

524 (f)~~(g)~~ "Medical nuclear radiological physics" means the  
525 specialty of medical physics which deals with the therapeutic  
526 and diagnostic application and safe use of radionuclides, except  
527 those used in sealed sources for therapeutic purposes, and the  
528 use of equipment associated with the production, use,  
529 measurement, and evaluation of radionuclides.

530 (g)~~(h)~~ "Medical physics" means the branch of physics which  
531 is associated with the practice of medicine. It includes the  
532 fields of diagnostic radiological physics, therapeutic  
533 radiological physics, medical nuclear radiological physics, and  
534 medical health physics.

535 (h)~~(i)~~ "Physician" means a doctor of medicine, osteopathic  
536 medicine, podiatric medicine, dentistry, or chiropractic  
537 medicine who is licensed in this state and who prescribes a  
538 radiological procedure.

539 (i)~~(j)~~ "Practice of medical physics" means the use of  
540 principles and accepted protocols of physics to ensure the  
541 correct quality, quantity, and placement of radiation during the  
542 performance of a radiological procedure prescribed by a  
543 physician which will protect the patient and others from harmful  
544 excessive radiation. The term includes radiation beam  
545 calibration and characterization quality assurance, instrument  
546 specification, acceptance testing, shielding design, protection  
547 analysis on radiation-emitting equipment and  
548 radiopharmaceuticals, and consultation with a physician to  
549 ensure accurate radiation dosage to a specific patient.

550 (j)~~(k)~~ "Radiation" means ionizing or nonionizing radiation  
551 above background levels which is used to perform a diagnostic or

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552 therapeutic medical or dental radiological procedure.

553 (k)~~(l)~~ "Radiological procedure" means a test, measurement,  
554 calculation, or radiation exposure used in the diagnosis or  
555 treatment of diseases or other medical or dental conditions in  
556 human beings which ~~that~~ includes therapeutic radiation,  
557 diagnostic radiation, nuclear magnetic resonance, or nuclear  
558 medicine procedures.

559 (l)~~(m)~~ "Therapeutic radiological physics" means that  
560 specialty of medical physics which deals with the therapeutic  
561 application and safe use of X rays, gamma rays, electron or  
562 other charged particle beams, neutrons, or radiation from  
563 radionuclide sources, and the use of equipment associated with  
564 the production, use, measurement, and evaluation of that  
565 radiation.

566 ~~(4) COUNCIL. The Advisory Council of Medical Physicists is~~  
567 ~~created in the Department of Health to advise the department in~~  
568 ~~regulating the practice of medical physics in this state.~~

569 ~~(a) The council shall be composed of nine members appointed~~  
570 ~~by the State Surgeon General as follows:~~

571 ~~1. A licensed medical physicist who specializes in~~  
572 ~~diagnostic radiological physics.~~

573 ~~2. A licensed medical physicist who specializes in~~  
574 ~~therapeutic radiological physics.~~

575 ~~3. A licensed medical physicist who specializes in medical~~  
576 ~~nuclear radiological physics.~~

577 ~~4. A physician who is board certified by the American Board~~  
578 ~~of Radiology or its equivalent.~~

579 ~~5. A physician who is board certified by the American~~  
580 ~~Osteopathic Board of Radiology or its equivalent.~~

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- 581 ~~6. A chiropractic physician who practices radiology.~~
- 582 ~~7. Three consumer members who are not, and have never been,~~
- 583 ~~licensed as a medical physicist or licensed in any closely~~
- 584 ~~related profession.~~
- 585 ~~(b) The State Surgeon General shall appoint the medical~~
- 586 ~~physicist members of the council from a list of candidates who~~
- 587 ~~are licensed to practice medical physics.~~
- 588 ~~(c) The State Surgeon General shall appoint the physician~~
- 589 ~~members of the council from a list of candidates who are~~
- 590 ~~licensed to practice medicine in this state and are board~~
- 591 ~~certified in diagnostic radiology, therapeutic radiology, or~~
- 592 ~~radiation oncology.~~
- 593 ~~(d) The State Surgeon General shall appoint the public~~
- 594 ~~members of the council.~~
- 595 ~~(e) As the term of each member expires, the State Surgeon~~
- 596 ~~General shall appoint the successor for a term of 4 years. A~~
- 597 ~~member shall serve until the member's successor is appointed,~~
- 598 ~~unless physically unable to do so.~~
- 599 ~~(f) An individual is ineligible to serve more than two full~~
- 600 ~~consecutive 4-year terms.~~
- 601 ~~(g) If a vacancy on the council occurs, the State Surgeon~~
- 602 ~~General shall appoint a member to serve for a 4-year term.~~
- 603 ~~(h) A council member must be a United States citizen and~~
- 604 ~~must have been a resident of this state for 2 consecutive years~~
- 605 ~~immediately before being appointed.~~
- 606 ~~1. A member of the council who is a medical physicist must~~
- 607 ~~have practiced for at least 6 years before being appointed or be~~
- 608 ~~board certified for the specialty in which the member practices.~~
- 609 ~~2. A member of the council who is a physician must be~~

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610 ~~licensed to practice medicine in this state and must have~~  
611 ~~practiced diagnostic radiology or radiation oncology in this~~  
612 ~~state for at least 2 years before being appointed.~~

613 ~~3. The public members of the council must not have a~~  
614 ~~financial interest in any endeavor related to the practice of~~  
615 ~~medical physics.~~

616 ~~(i) A council member may be removed from the council if the~~  
617 ~~member:~~

618 ~~1. Did not have the required qualifications at the time of~~  
619 ~~appointment;~~

620 ~~2. Does not maintain the required qualifications while~~  
621 ~~serving on the council; or~~

622 ~~3. Fails to attend the regularly scheduled council meetings~~  
623 ~~in a calendar year as required by s. 456.011.~~

624 ~~(j) Members of the council may not receive compensation for~~  
625 ~~their services; however, they are entitled to reimbursement,~~  
626 ~~from funds deposited in the Medical Quality Assurance Trust~~  
627 ~~Fund, for necessary travel expenses as specified in s. 112.061~~  
628 ~~for each day they engage in the business of the council.~~

629 ~~(k) At the first regularly scheduled meeting of each~~  
630 ~~calendar year, the council shall elect a presiding officer and~~  
631 ~~an assistant presiding officer from among its members. The~~  
632 ~~council shall meet at least once each year and at other times in~~  
633 ~~accordance with department requirements.~~

634 ~~(l) The department shall provide administrative support to~~  
635 ~~the council for all licensing activities.~~

636 ~~(m) The council may conduct its meetings electronically.~~

637 ~~(4)-(5) POWERS OF DEPARTMENT COUNCIL.—The department council~~  
638 ~~shall:~~

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639 (a) Adopt ~~Recommend~~ rules to administer this section.

640 (b) Develop ~~Recommend~~ practice standards for the practice  
641 of medical physics which are consistent with the Guidelines for  
642 Ethical Practice for Medical Physicists prepared by the American  
643 Association of Physicists in Medicine and disciplinary  
644 guidelines adopted under s. 456.079.

645 (c) ~~Develop and recommend~~ continuing education requirements  
646 for licensed medical physicists.

647 (5) ~~(6)~~ LICENSE REQUIRED.—An individual may not engage in  
648 the practice of medical physics, including the specialties of  
649 diagnostic radiological physics, therapeutic radiological  
650 physics, medical nuclear radiological physics, or medical health  
651 physics, without a license issued by the department for the  
652 appropriate specialty.

653 (a) The department shall adopt rules to administer this  
654 section which specify license application and renewal fees,  
655 continuing education requirements, and standards for practicing  
656 medical physics. ~~The council shall recommend to the department~~  
657 ~~continuing education requirements that shall be a condition of~~  
658 ~~license renewal.~~ The department shall require a minimum of 24  
659 hours per biennium of continuing education offered by an  
660 organization ~~recommended by the council and~~ approved by the  
661 department. ~~The department, upon recommendation of the council,~~  
662 may adopt rules to specify continuing education requirements for  
663 persons who hold a license in more than one specialty.

664 (b) In order to apply for a medical physicist license in  
665 one or more specialties, a person must file an individual  
666 application for each specialty with the department. The  
667 application must be on a form prescribed by the department and

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668 must be accompanied by a nonrefundable application fee for each  
669 specialty.

670 (c) The department may issue a license to an eligible  
671 applicant if the applicant meets all license requirements. At  
672 any time before the department issues a license, the applicant  
673 may request in writing that the application be withdrawn. To  
674 reapply, the applicant must submit a new application and an  
675 additional nonrefundable application fee and must meet all  
676 current licensure requirements.

677 (d) The department shall review each completed application  
678 for a license which the department receives.

679 (e) On receipt of an application and fee as specified in  
680 this section, the department may issue a license to practice  
681 medical physics in this state on or after October 1, 1997, to a  
682 person who is board certified in the medical physics specialty  
683 in which the applicant applies to practice by the American Board  
684 of Radiology for diagnostic radiological physics, therapeutic  
685 radiological physics, or medical nuclear radiological physics;  
686 by the American Board of Medical Physics for diagnostic  
687 radiological physics, therapeutic radiological physics, or  
688 medical nuclear radiological physics; or by the American Board  
689 of Health Physics or an equivalent certifying body approved by  
690 the department.

691 (f) A licensee shall:

692 1. Display the license in a place accessible to the public;  
693 and

694 2. Report immediately a ~~any~~ change in the licensee's  
695 address or name to the department.

696 (g) The following acts constitute grounds for denial of a



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697 license or disciplinary action, as specified in s. 456.072(2):

698 1. Obtaining or attempting to obtain a license by bribery,  
699 fraud, knowing misrepresentation, or concealment of material  
700 fact or through an error of the department.

701 2. Having a license denied, revoked, suspended, or  
702 otherwise acted against in another jurisdiction.

703 3. Being convicted or found guilty of, or entering a plea  
704 of nolo contendere to, regardless of adjudication, a crime in  
705 any jurisdiction which relates to the practice of, or the  
706 ability to practice, the profession of medical physics.

707 4. Willfully failing to file a report or record required  
708 for medical physics or willfully impeding or obstructing the  
709 filing of a report or record required by this section or  
710 inducing another person to do so.

711 5. Making misleading, deceptive, or fraudulent  
712 representations in or related to the practice of medical  
713 physics.

714 6. Willfully failing to report a ~~any~~ known violation of  
715 this section or a ~~any~~ rule adopted thereunder.

716 7. Failing to perform a ~~any~~ statutory or legal obligation  
717 placed upon a licensee.

718 8. Aiding, assisting, procuring, employing, or advising an  
719 ~~any~~ unlicensed person to practice medical physics contrary to  
720 this section or a ~~any~~ rule adopted thereunder.

721 9. Delegating or contracting for the performance of  
722 professional responsibilities by a person when the licensee  
723 delegating or contracting such responsibilities knows, or has  
724 reason to know, such person is not qualified by training,  
725 experience, and authorization to perform them.

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726 10. Practicing or offering to practice beyond the scope  
727 permitted by law or accepting and performing professional  
728 responsibilities the licensee knows, or has reason to know, the  
729 licensee is not competent to perform.

730 11. Gross or repeated malpractice or the inability to  
731 practice medical physics with reasonable skill and safety.

732 12. Judicially determined mental incompetency.

733 13. Being unable to practice medical physics with  
734 reasonable skill and safety because of a mental or physical  
735 condition or illness or the use of alcohol, controlled  
736 substances, or any other substance that ~~which~~ impairs one's  
737 ability to practice.

738 a. The department may, upon probable cause, compel a  
739 licensee to submit to a mental or physical examination by  
740 physicians designated by the department. The cost of an  
741 examination must ~~shall~~ be borne by the licensee, and the  
742 licensee's failure to submit to such an examination constitutes  
743 an admission of the allegations against the licensee, consequent  
744 upon which a default and a final order may be entered without  
745 the taking of testimony or presentation of evidence, unless the  
746 failure was due to circumstances beyond the licensee's control.

747 b. A licensee who is disciplined under this subparagraph  
748 ~~shall~~, at reasonable intervals, must be afforded an opportunity  
749 to demonstrate that the licensee can resume the practice of  
750 medical physics with reasonable skill and safety.

751 c. With respect to a ~~any~~ proceeding under this  
752 subparagraph, the record of proceedings or the orders entered by  
753 the department may not be used against a licensee in any other  
754 proceeding.

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755 14. Violating ~~any provision of~~ this chapter or chapter 456,  
756 or ~~any~~ rules adopted pursuant thereto.

757 (h) The department may enter an order denying licensure or  
758 imposing ~~any of~~ the penalties in s. 456.072(2) against an ~~any~~  
759 applicant for licensure or licensee who is found guilty of  
760 violating ~~any provision of~~ subsection (1) ~~of this section~~ or who  
761 is found guilty of violating ~~any provision of~~ s. 456.072(1).

762 (i) The department may not issue or reinstate a license to  
763 a person it has deemed unqualified until it is satisfied that  
764 such person has complied with the terms and conditions of the  
765 final order and that the licensee can safely practice medical  
766 physics.

767 (j) Upon receipt of a complete application and the fee set  
768 forth by rule, the department may issue a physicist-in-training  
769 certificate to a person qualified to practice medical physics  
770 under direct supervision. The department may establish by rule  
771 requirements for initial certification and renewal of a  
772 physicist-in-training certificate.

773 (6) ~~(7)~~ FEES.—The fee for the initial license application is  
774 ~~shall be~~ \$500 and is nonrefundable. The fee for license renewal  
775 may not be more than \$500. These fees may cover only the costs  
776 incurred by the department ~~and the council~~ to administer this  
777 section. By July 1 each year, the department shall review the  
778 fees to determine whether the fees ~~advise the council if the~~  
779 ~~fees~~ are sufficient ~~insufficient~~ to administer this section.

780 Section 25. Paragraph (g) of subsection (3) of section  
781 921.0022, Florida Statutes, is amended to read:

782 921.0022 Criminal Punishment Code; offense severity ranking  
783 chart.—

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784

(3) OFFENSE SEVERITY RANKING CHART

785

(g) LEVEL 7

Florida

Felony

Statute

Degree

Description

786

316.027(1)(b)

1st

Accident involving death, failure to stop; leaving scene.

787

316.193(3)(c)2.

3rd

DUI resulting in serious bodily injury.

788

316.1935(3)(b)

1st

Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

789

327.35(3)(c)2.

3rd

Vessel BUI resulting in serious bodily injury.

790

402.319(2)

2nd

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

791

409.920

3rd

Medicaid provider fraud; \$10,000 or less.

(2)(b)1.a.

792

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793	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
794	456.065 (2)	3rd	Practicing a health care profession without a license.
795	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
796	458.327 (1)	3rd	Practicing medicine without a license.
797	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
798	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
799	461.012 (1)	3rd	Practicing podiatric medicine without a license.
800	462.17	3rd	Practicing naturopathy without a license.
801	463.015 (1)	3rd	Practicing optometry without a license.
802	464.016 (1)	3rd	Practicing nursing without a license.
	465.015 (2)	3rd	Practicing pharmacy without a license.

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803  
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- 466.026 (1) 3rd Practicing dentistry or dental hygiene without a license.
- 467.201 3rd Practicing midwifery without a license.
- 468.366 3rd Delivering respiratory care services without a license.
- 483.828 (1) 3rd Practicing as clinical laboratory personnel without a license.
- 483.901 (8) 3rd Practicing medical physics without a license.
- ~~483.901 (9)~~
- 484.013 (1) (c) 3rd Preparing or dispensing optical devices without a prescription.
- 484.053 3rd Dispensing hearing aids without a license.
- 494.0018 (2) 1st Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
- 560.123 (8) (b) 1. 3rd Failure to report currency or payment instruments exceeding \$300 but less

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than \$20,000 by a money services  
business.

812

560.125 (5) (a) 3rd Money services business by unauthorized  
person, currency or payment instruments  
exceeding \$300 but less than \$20,000.

813

655.50 (10) (b) 1. 3rd Failure to report financial  
transactions exceeding \$300 but less  
than \$20,000 by financial institution.

814

775.21 (10) (a) 3rd Sexual predator; failure to register;  
failure to renew driver's license or  
identification card; other registration  
violations.

815

775.21 (10) (b) 3rd Sexual predator working where children  
regularly congregate.

816

775.21 (10) (g) 3rd Failure to report or providing false  
information about a sexual predator;  
harbor or conceal a sexual predator.

817

782.051 (3) 2nd Attempted felony murder of a person by  
a person other than the perpetrator or  
the perpetrator of an attempted felony.

818

782.07 (1) 2nd Killing of a human being by the act,  
procurement, or culpable negligence of

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another (manslaughter).

819

782.071                    2nd    Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

820

782.072                    2nd    Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

821

784.045 (1) (a) 1.        2nd    Aggravated battery; intentionally causing great bodily harm or disfigurement.

822

784.045 (1) (a) 2.        2nd    Aggravated battery; using deadly weapon.

823

784.045 (1) (b)           2nd    Aggravated battery; perpetrator aware victim pregnant.

824

784.048 (4)                3rd    Aggravated stalking; violation of injunction or court order.

825

784.048 (7)                3rd    Aggravated stalking; violation of court order.

826

784.07 (2) (d)            1st    Aggravated battery on law enforcement officer.



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827	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
828	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
829	784.081 (1)	1st	Aggravated battery on specified official or employee.
830	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
831	784.083 (1)	1st	Aggravated battery on code inspector.
832	787.06 (3) (a)	1st	Human trafficking using coercion for labor and services.
833	787.06 (3) (e)	1st	Human trafficking using coercion for labor and services by the transfer or transport of any individual from outside Florida to within the state.
834	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
835	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.

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790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
796.03	2nd	Procuring any person under 16 years for prostitution.

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844

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.

845

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

846

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

847

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

848

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

849

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

850

810.02 (3) (e) 2nd Burglary of authorized emergency vehicle.

851

812.014 (2) (a) 1. 1st Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

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852	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
853	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
854	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
855	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
856	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
857	812.131 (2) (a)	2nd	Robbery by sudden snatching.
858	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
859	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.

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860

817.234 (11) (c) 1st Insurance fraud; property value  
\$100,000 or more.

861

817.2341 1st Making false entries of material fact  
(2) (b) & or false statements regarding property  
(3) (b) values relating to the solvency of an  
insuring entity which are a significant  
cause of the insolvency of that entity.

862

825.102 (3) (b) 2nd Neglecting an elderly person or  
disabled adult causing great bodily  
harm, disability, or disfigurement.

863

825.103 (2) (b) 2nd Exploiting an elderly person or  
disabled adult and property is valued  
at \$20,000 or more, but less than  
\$100,000.

864

827.03 (2) (b) 2nd Neglect of a child causing great bodily  
harm, disability, or disfigurement.

865

827.04 (3) 3rd Impregnation of a child under 16 years  
of age by person 21 years of age or  
older.

866

837.05 (2) 3rd Giving false information about alleged  
capital felony to a law enforcement  
officer.

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867	838.015	2nd	Bribery.
868	838.016	2nd	Unlawful compensation or reward for official behavior.
869	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
870	838.22	2nd	Bid tampering.
871	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
872	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
873	872.06	2nd	Abuse of a dead human body.
874	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
875	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or

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publicly owned recreational facility or  
community center.

876

893.13(1)(e)1. 1st Sell, manufacture, or deliver cocaine  
or other drug prohibited under s.  
893.03(1)(a), (1)(b), (1)(d), (2)(a),  
(2)(b), or (2)(c)4., within 1,000 feet  
of property used for religious services  
or a specified business site.

877

893.13(4)(a) 1st Deliver to minor cocaine (or other s.  
893.03(1)(a), (1)(b), (1)(d), (2)(a),  
(2)(b), or (2)(c)4. drugs).

878

893.135(1)(a)1. 1st Trafficking in cannabis, more than 25  
lbs., less than 2,000 lbs.

879

893.135 1st Trafficking in cocaine, more than 28  
(1)(b)1.a. grams, less than 200 grams.

880

893.135 1st Trafficking in illegal drugs, more than  
(1)(c)1.a. 4 grams, less than 14 grams.

881

893.135(1)(d)1. 1st Trafficking in phencyclidine, more than  
28 grams, less than 200 grams.

882

893.135(1)(e)1. 1st Trafficking in methaqualone, more than  
200 grams, less than 5 kilograms.

883

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884	893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
885	893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
886	893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
887	893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
888	893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
889	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
890	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.



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891

943.0435(4)(c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting requirements.

892

943.0435(8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

893

943.0435(9)(a) 3rd Sexual offender; failure to comply with reporting requirements.

894

943.0435(13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

895

943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

896

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

897

944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

898

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

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899

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

900

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

901

985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

902

985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

903

904

Section 26. This act shall take effect July 1, 2013.