

CHAPTER 2014-18

Senate Bill No. 936

An act relating to the Florida Statutes; amending ss. 458.347 and 481.213, F.S., and repealing ss. 163.3247, 215.18(2), 215.5601(5)(f), 216.292(3)(c), 282.709(3)(b), 288.1083, 288.9552, 379.209(4), 403.1651(1)(g), 409.9841, 420.5087(10), 430.2053(9)(e) and (f), 430.701, 430.702, 430.703, 430.7031, 430.704, 430.705, 430.706, 430.707, 430.708, 430.709, 443.1117, 468.1155(3)(c), and 1010.87, F.S.; to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2014 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending ss. 288.0001, 288.9625, 409.979, and 430.04, F.S., to conform cross-references; providing an effective date.

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

Section 1. Section 163.3247, Florida Statutes, is repealed.

Reviser's note.—The cited section, which relates to the Century Commission for a Sustainable Florida, was repealed pursuant to its own terms, effective June 30, 2013.

Section 2. Subsection (2) of section 215.18, Florida Statutes, is repealed.

Reviser's note.—The cited subsection, which relates to trust fund loans to the Chief Justice of the Supreme Court for purposes of funding the state court system sufficiently to meet its appropriations in the 2012-2013 General Appropriations Act, expired pursuant to its own terms, effective July 1, 2013.

Section 3. Paragraph (f) of subsection (5) of section 215.5601, Florida Statutes, is repealed.

Reviser's note.—The cited paragraph, which relates to the transfer of \$350 million from the Lawton Chiles Endowment Fund to the General Revenue Fund during the 2012-2013 fiscal year, expired pursuant to its own terms, effective June 30, 2013.

Section 4. Paragraph (c) of subsection (3) of section 216.292, Florida Statutes, is repealed.

Reviser's note.—The cited paragraph, which relates to authorization of transfer of appropriations for fixed capital outlay from the Survey Recommended Needs-Public Schools appropriation category to the Maintenance, Repair, Renovation and Remodeling appropriation category, expired pursuant to its own terms, effective July 1, 2013.

Section 5. Paragraph (b) of subsection (3) of section 282.709, Florida Statutes, is repealed.

Reviser's note.—The cited paragraph, which relates to use of funds from the State Agency Law Enforcement Radio System Trust Fund for funding mutual aid buildout maintenance and sustainment and an interoperability network, expired pursuant to its own terms, effective July 1, 2013.

Section 6. Section 288.1083, Florida Statutes, is repealed.

Reviser's note.—The cited section, which creates the Manufacturing and Spaceport Investment Incentive Program, was repealed pursuant to its own terms, effective July 1, 2013.

Section 7. Section 288.9552, Florida Statutes, is repealed.

Reviser's note.—The cited section, which relates to the Florida Research Commercialization Matching Grant Program, expired pursuant to its own terms, effective July 1, 2013.

Section 8. Subsection (4) of section 379.209, Florida Statutes, is repealed.

Reviser's note.—The cited subsection, which authorizes the Fish and Wildlife Conservation Commission to transfer cash balances from the Nongame Wildlife Trust Fund to the Grants and Donations Trust Fund for the purpose of supporting cash flow needs, expired pursuant to its own terms, effective July 1, 2013.

Section 9. Paragraph (g) of subsection (1) of section 403.1651, Florida Statutes, is repealed.

Reviser's note.—The cited paragraph, which provides as a purpose of the Ecosystem Management and Restoration Trust Fund funding activities to preserve and repair the state's beaches as provided in ss. 161.091-161.212, expired pursuant to its own terms, effective July 1, 2013.

Section 10. Section 409.9841, Florida Statutes, is repealed.

Reviser's note.—The cited section, which relates to the long-term care managed care technical advisory workgroup, was repealed pursuant to its own terms, effective June 30, 2013.

Section 11. Subsection (10) of section 420.5087, Florida Statutes, is repealed.

Reviser's note.—Section 420.5087 creates the State Apartment Incentive Loan Program; subsection (10), which provides for funding to preserve existing projects having financing guaranteed under the

Florida Affordable Housing Guarantee Program, expired pursuant to its own terms, effective June 30, 2013.

Section 12. Paragraphs (e) and (f) of subsection (9) of section 430.2053, Florida Statutes, are repealed.

Reviser's note.—The cited paragraphs, which include the aged and disabled adult Medicaid waiver and assisted living for the frail elderly Medicaid waiver among services to be administered through the aging resource center, expired pursuant to their own terms, effective October 1, 2013.

Section 13. Sections 430.701, 430.702, 430.703, 430.7031, 430.704, 430.705, 430.706, 430.707, 430.708, and 430.709, Florida Statutes, are repealed.

Reviser's note.—The cited sections, which relate to long-term care community diversion pilot projects, were repealed by s. 24, ch. 2011-135, Laws of Florida, effective October 1, 2013. Since the sections were not repealed by a "current session" of the Legislature, they may be omitted from the 2014 Florida Statutes only through a reviser's bill duly enacted by the Legislature. See s. 11.242(5)(b) and (i).

Section 14. Section 443.1117, Florida Statutes, is repealed.

Reviser's note.—The cited section, which relates to temporary extended benefits, was revived, readopted, and amended by s. 90, ch. 2012-30, Laws of Florida, retroactive to January 4, 2012, and expiring effective January 5, 2013.

Section 15. Paragraph (b) of subsection (7) of section 458.347, Florida Statutes, is amended to read:

458.347 Physician assistants.—

(7) PHYSICIAN ASSISTANT LICENSURE.—

(b)1. Notwithstanding subparagraph (a)2. and sub-subparagraph (a)3.a., the department shall examine each applicant who the Board of Medicine certifies:

a. Has completed the application form and remitted a nonrefundable application fee not to exceed \$500 and an examination fee not to exceed \$300, plus the actual cost to the department to provide the examination. The examination fee is refundable if the applicant is found to be ineligible to take the examination. The department shall not require the applicant to pass a separate practical component of the examination. For examinations given after July 1, 1998, competencies measured through practical examinations shall be incorporated into the written examination through a multiple-choice format. The department shall translate the examination into the native language of any applicant who requests and agrees to pay all costs of such

translation, provided that the translation request is filed with the board office no later than 9 months before the scheduled examination and the applicant remits translation fees as specified by the department no later than 6 months before the scheduled examination, and provided that the applicant demonstrates to the department the ability to communicate orally in basic English. If the applicant is unable to pay translation costs, the applicant may take the next available examination in English if the applicant submits a request in writing by the application deadline and if the applicant is otherwise eligible under this section. To demonstrate the ability to communicate orally in basic English, a passing score or grade is required, as determined by the department or organization that developed it, on the test for spoken English (TSE) by the Educational Testing Service (ETS), the test of English as a foreign language (TOEFL) by ETS, a high school or college level English course, or the English examination for citizenship, Bureau of Citizenship and Immigration Services. A notarized copy of an Educational Commission for Foreign Medical Graduates (ECFMG) certificate may also be used to demonstrate the ability to communicate in basic English; and

b.(I) Is an unlicensed physician who graduated from a foreign medical school listed with the World Health Organization who has not previously taken and failed the examination of the National Commission on Certification of Physician Assistants and who has been certified by the Board of Medicine as having met the requirements for licensure as a medical doctor by examination as set forth in s. 458.311(1), (3), (4), and (5), with the exception that the applicant is not required to have completed an approved residency of at least 1 year and the applicant is not required to have passed the licensing examination specified under s. 458.311 or hold a valid, active certificate issued by the Educational Commission for Foreign Medical Graduates; was eligible and made initial application for certification as a physician assistant in this state between July 1, 1990, and June 30, 1991; and was a resident of this state on July 1, 1990, or was licensed or certified in any state in the United States as a physician assistant on July 1, 1990; or

~~(II) Completed all coursework requirements of the Master of Medical Science Physician Assistant Program offered through the Florida College of Physician's Assistants prior to its closure in August of 1996. Prior to taking the examination, such applicant must successfully complete any clinical rotations that were not completed under such program prior to its termination and any additional clinical rotations with an appropriate physician assistant preceptor, not to exceed 6 months, that are determined necessary by the council. The boards shall determine, based on recommendations from the council, the facilities under which such incomplete or additional clinical rotations may be completed and shall also determine what constitutes successful completion thereof, provided such requirements are comparable to those established by accredited physician assistant programs. This sub-sub-subparagraph is repealed July 1, 2001.~~

2. The department may grant temporary licensure to an applicant who meets the requirements of subparagraph 1. Between meetings of the council,

the department may grant temporary licensure to practice based on the completion of all temporary licensure requirements. All such administratively issued licenses shall be reviewed and acted on at the next regular meeting of the council. A temporary license expires 30 days after receipt and notice of scores to the licenseholder from the first available examination specified in subparagraph 1. following licensure by the department. An applicant who fails the proficiency examination is no longer temporarily licensed, but may apply for a one-time extension of temporary licensure after reapplying for the next available examination. Extended licensure shall expire upon failure of the licenseholder to sit for the next available examination or upon receipt and notice of scores to the licenseholder from such examination.

3. Notwithstanding any other provision of law, the examination specified pursuant to subparagraph 1. shall be administered by the department only five times. Applicants certified by the board for examination shall receive at least 6 months' notice of eligibility prior to the administration of the initial examination. Subsequent examinations shall be administered at 1-year intervals following the reporting of the scores of the first and subsequent examinations. For the purposes of this paragraph, the department may develop, contract for the development of, purchase, or approve an examination that adequately measures an applicant's ability to practice with reasonable skill and safety. The minimum passing score on the examination shall be established by the department, with the advice of the board. Those applicants failing to pass that examination or any subsequent examination shall receive notice of the administration of the next examination with the notice of scores following such examination. Any applicant who passes the examination and meets the requirements of this section shall be licensed as a physician assistant with all rights defined thereby.

Reviser's note.—Amended to delete sub-sub-subparagraph (7)(b)1.b.(II) which expired pursuant to its own terms, effective July 1, 2001.

Section 16. Paragraph (c) of subsection (3) of section 468.1155, Florida Statutes, is repealed.

Reviser's note.—The cited paragraph, which provides for issuance of a provisional license to practice audiology to applicants certified to have earned a master's degree with a major emphasis in audiology conferred before January 1, 2008, from an institution of higher learning accredited by an accrediting agency recognized by the Council for Higher Education Accreditation or its successor, the United States Department of Education, or an institution that is a member in good standing with the Association of Universities and Colleges of Canada, expired pursuant to its own terms, effective January 1, 2013.

Section 17. Paragraph (c) of subsection (3) of section 481.213, Florida Statutes, is amended to read:

481.213 Licensure.—

(3) The board shall certify as qualified for a license by endorsement as an architect or as an interior designer an applicant who:

(c) Has passed the prescribed licensure examination and holds a valid certificate issued by the National Council of Architectural Registration Boards, and holds a valid license to practice architecture issued by another state or jurisdiction of the United States. ~~An applicant who has passed the prescribed licensure examination and holds a valid license to practice architecture issued by another state, but who does not hold a certificate, may be licensed if he or she:~~

- ~~1. Holds a minimum 4-year degree;~~
- ~~2. Has maintained an architect license in good standing for a minimum of 10 years;~~
- ~~3. Has been a continuous resident of this state for a minimum of 10 years; and~~
- ~~4. Presents evidence of satisfactory completion of the continuing education requirements for renewal of an architect license for the biennium ending February 2013. This exception to the requirement that an applicant hold a valid certificate issued by the National Council of Architectural Registration Boards expires March 1, 2013.~~

Reviser's note.—Amended to delete language which expired pursuant to its own terms, effective March 1, 2013.

Section 18. Section 1010.87, Florida Statutes, is repealed.

Reviser's note.—The cited section, which creates the Workers' Compensation Administration Trust Fund within the Department of Education, was repealed by s. 1, ch. 2012-135, Laws of Florida, effective June 30, 2013. Since the section was not repealed by a "current session" of the Legislature, it may be omitted from the 2014 Florida Statutes only through a reviser's bill duly enacted by the Legislature. See s. 11.242(5)(b) and (i).

Section 19. Paragraph (c) of subsection (2) of section 288.0001, Florida Statutes, is amended to read:

288.0001 Economic Development Programs Evaluation.—The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.

(2) The Office of Economic and Demographic Research and OPPAGA shall provide a detailed analysis of economic development programs as provided in the following schedule:

(c) By January 1, 2016, and every 3 years thereafter, an analysis of the following:

1. The qualified defense contractor and space flight business tax refund program established under s. 288.1045.

2. The tax exemption for semiconductor, defense, or space technology sales established under s. 212.08(5)(j).

3. The Military Base Protection Program established under s. 288.980.

4. The Manufacturing and Spaceport Investment Incentive Program formerly established under s. 288.1083.

5. The Quick Response Training Program established under s. 288.047.

6. The Incumbent Worker Training Program established under s. 445.003.

7. International trade and business development programs established or funded under s. 288.826.

Reviser's note.—Amended to conform to the repeal of s. 288.1083 by this act.

Section 20. Paragraph (g) of subsection (8) of section 288.9625, Florida Statutes, is repealed.

Reviser's note.—The cited paragraph is repealed to delete administration of the Florida Research Commercialization Matching Grant Program created in s. 288.9552 from the list of duties of the Institute for the Commercialization of Public Research to conform to the repeal of s. 288.9552 by this act.

Section 21. Paragraph (e) of subsection (2) of section 409.979, Florida Statutes, is repealed.

Reviser's note.—The cited paragraph, which provides for eligibility by Medicaid recipients for long-term care community-based diversion projects as described in s. 430.705, is repealed to conform to the repeal of s. 430.705 by this act.

Section 22. Paragraph (e) of subsection (15) of section 430.04, Florida Statutes, is repealed.

Reviser's note.—The cited paragraph is repealed to delete inclusion of the Long-Term Care Community-Based Diversion Pilot Project as described in s. 430.705 from the list of waivers and programs

administered by the Department of Elderly Affairs in subsection (15) to conform to the repeal of s. 430.705 by this act.

Section 23. This act shall take effect on the 60th day after adjournment sine die of the session of the Legislature in which enacted.

Approved by the Governor May 12, 2014.

Filed in Office Secretary of State May 12, 2014.