

## CHAPTER 2023-161

### Committee Substitute for Committee Substitute for House Bill No. 139

An act relating to benefits, training, and employment for veterans and their spouses; amending s. 288.0001, F.S.; requiring the Economic Development Programs Evaluation to include a periodic analysis of the Veterans Employment and Training Services Program; amending ss. 292.05 and 295.21, F.S.; revising the duties of the Department of Veterans' Affairs and Florida Is For Veterans, Inc., respectively, to include provision of certain assistance to veterans' spouses; amending s. 295.22, F.S.; revising legislative findings and intent; revising the purpose and duties of the Veterans Employment and Training Services Program to include provision of certain assistance to veterans' spouses; requiring priority for the award of certain grants to be given to businesses in the health care industry; removing provisions authorizing grant administration by CareerSource Florida, Inc.; requiring Florida Is For Veterans, Inc., to assist veterans or their spouses in accessing employment and licensure in health care professions; amending s. 456.013, F.S.; removing provisions relating to the waiver of certain fees for veterans or their spouses; amending s. 456.024, F.S.; requiring the Department of Health to waive certain fees for veterans and their spouses under certain circumstances; providing requirements for application for such waiver; removing a limitation on the period in which a member of the United States Armed Forces must receive an honorable discharge from service in order to be issued a license to practice a health care profession in this state; requiring the appropriate board or the department to expedite health care licensure applications submitted by veterans and to issue a license within a specified period; amending s. 456.0241, F.S.; removing provisions relating to application and renewal fees for temporary certification of an active duty military health care practitioner to practice in a regulated profession in this state; requiring the department to waive the temporary licensing fee; creating s. 456.0242, F.S.; establishing the Office of Veteran Licensure Services within the Division of Medical Quality Assurance; requiring the office to designate a veteran as executive director of the office; providing duties of the office; requiring an annual report to the Governor and Legislature; providing report requirements; authorizing the department to adopt rules; providing appropriations and authorizing positions; providing an effective date.

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

Section 1. Paragraph (d) 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:

(d) By January 1, 2019, and every 3 years thereafter, an analysis of the program grant and entrepreneur initiative programs established under s. 295.22(2) ~~s. 295.22(3)(d) and (e)~~.

Section 2. Subsections (1) and (5) of section 292.05, Florida Statutes, are amended to read:

292.05 Duties of Department of Veterans' Affairs.—

(1) The Department of Veterans' Affairs shall provide assistance to all former, present, and future members of the Armed Forces of the United States and their spouses and dependents in preparing claims for and securing such compensation, hospitalization, career training, and other benefits or privileges to which such persons or any of them are or may become entitled under any federal or state law or regulation by reason of their service in the Armed Forces of the United States. All services rendered under this subsection shall be without charge to the claimant.

(5) The department shall conduct an ongoing study on the problems and needs of those residents of this state who are veterans of the Armed Forces of the United States and the problems and needs of their spouses and dependents. The study shall include, but not be limited to:

(a) A survey of existing state and federal programs available for such persons that specifies the extent to which such programs presently are being implemented, with recommendations for the improved implementation, extension, or improvement of such programs.

(b) A survey of the needs of such persons in the areas of social services, health care, education, and employment, and any other areas of determined need, with recommendations regarding federal, state, and community services that would meet those needs.

(c) A survey of federal, state, public, and private moneys available that could be used to defray the costs of state or community services needed for such persons.

Section 3. Subsection (2), paragraph (b) of subsection (3), paragraph (g) of subsection (4), and paragraph (a) of subsection (8) of section 295.21, Florida Statutes, are amended to read:

295.21 Florida Is For Veterans, Inc.—

(2) PURPOSE.—The purpose of the corporation is to promote Florida as a veteran-friendly state that seeks to provide veterans and their spouses with employment opportunities and that promotes the hiring of veterans and their spouses by the business community. The corporation shall encourage retired and recently separated military personnel to remain in the state or to make the state their permanent residence. The corporation shall promote the value of military skill sets to businesses in the state, assist in tailoring the training of veterans and their spouses to match the needs of the employment marketplace, and enhance the entrepreneurial skills of veterans and their spouses.

(3) DUTIES.—The corporation shall:

(b) Advise the Florida Tourism Industry Marketing Corporation, pursuant to s. 295.23, on:

1. The target market as identified in paragraph (a).

2. Development and implementation of a marketing campaign to encourage members of the target market to remain in the state or to make the state their permanent residence.

3. Methods for disseminating information to the target market that relates to the interests and needs of veterans and their spouses of all ages and facilitates veterans’ knowledge of and access to benefits.

(4) GOVERNANCE.—

(g) A majority of the members of the board of directors constitutes a quorum. Board Council meetings may be held via teleconference or other electronic means.

(8) ANNUAL REPORT.—The corporation shall submit an annual progress report and work plan by December 1 to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must include:

(a) Status and summary of findings regarding the target market, veteran and spouse benefits, and any identified gaps in services.

Section 4. Subsections (1), (2), and (3) of section 295.22, Florida Statutes, are amended to read:

295.22 Veterans Employment and Training Services Program.—

(1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds that the state has a compelling interest in ensuring that each veteran or his or her spouse who is a resident of the state finds employment that meets his or her professional goals and receives the training or education necessary to meet those goals. The Legislature also finds that connecting dedicated, well-trained veterans with businesses that need a dedicated, well-trained

workforce is of paramount importance. The Legislature recognizes that veterans or their spouses may not currently have the skills to meet the workforce needs of Florida employers and may require assistance in obtaining additional workforce training or in transitioning their skills to meet the demands of the marketplace. It is the intent of the Legislature that the Veterans Employment and Training Services Program coordinate and meet the needs of veterans and their spouses and the business community to enhance the economy of this state.

(2) CREATION.—The Veterans Employment and Training Services Program is created within the Department of Veterans' Affairs to assist in linking veterans or their spouses in search of employment with businesses seeking to hire dedicated, well-trained workers. The purpose of the program is to meet the workforce demands of businesses in the state by facilitating access to training and education in high-demand fields for veterans or their spouses.

(3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall administer the Veterans Employment and Training Services Program and perform all of the following functions:

(a) Conduct marketing and recruiting efforts directed at veterans or their spouses who reside in or who have an interest in relocating to this state and who are seeking employment. Marketing must include information related to how a veteran's military experience can be valuable to a business. Such efforts may include attending veteran job fairs and events, hosting events for veterans and their spouses or the business community, and using digital and social media and direct mail campaigns. The corporation shall also include such marketing as part of its main marketing campaign.

(b) Assist veterans or their spouses who reside in or relocate to this state and who are seeking employment. The corporation shall offer skills assessments to veterans or their spouses and assist them in establishing employment goals and applying for and achieving gainful employment.

1. Assessment may include skill match information, skill gap analysis, resume creation, translation of military skills into civilian workforce skills, and translation of military achievements and experience into generally understood civilian workforce skills.

2. Assistance may include providing the veteran or his or her spouse with information on current workforce demand by industry or geographic region, creating employment goals, and aiding or teaching general knowledge related to completing applications. The corporation may provide information related to industry certifications approved by the Department of Education under s. 1008.44 as well as information related to earning academic college credit at public postsecondary educational institutions for college-level training and education acquired in the military under s. 1004.096.

3. The corporation shall encourage veterans or their spouses to register with the state's job bank system and may refer veterans to local one-stop career centers for further services. The corporation shall provide each veteran with information about state workforce programs and shall consolidate information about all available resources on one website that, if possible, includes a hyperlink to each resource's website and contact information, if available.

4. Assessment and assistance may be in person or by electronic means, as determined by the corporation to be most efficient and best meet the needs of veterans or their spouses.

(c) Assist Florida businesses in recruiting and hiring veterans and veterans' spouses. The corporation shall provide services to Florida businesses to meet their hiring needs by connecting businesses with suitable veteran applicants for employment. Suitable applicants include veterans or veterans' spouses who have appropriate job skills or may need additional training to meet the specific needs of a business. The corporation shall also provide information about the state and federal benefits of hiring veterans.

(d) Create a grant program to provide funding to assist veterans in meeting the workforce-skill needs of businesses seeking to hire, promote, or generally improve specialized skills of veterans, establish criteria for approval of requests for funding, and maximize the use of funding for this program. Grant funds may be used only in the absence of available veteran-specific federally funded programs. Grants may fund specialized training specific to a particular business.

1. If grant funds are used to provide a technical certificate, a licensure, or a degree, funds may be allocated only upon a review that includes, but is not limited to, documentation of accreditation and licensure. Instruction funded through the program terminates when participants demonstrate competence at the level specified in the request but may not exceed 12 months. Preference shall be given to target industry businesses, as defined in s. 288.106, and to businesses in the defense supply, cloud virtualization, health care, or commercial aviation manufacturing industries.

2. Costs and expenditures shall be limited to \$8,000 per veteran trainee. Qualified businesses must cover the entire cost for all of the training provided before receiving reimbursement from the corporation equal to 50 percent of the cost to train a veteran who is a permanent, full-time employee. Eligible costs and expenditures include:

- a. Tuition and fees.
- b. Books and classroom materials.
- c. Rental fees for facilities.

3. Before funds are allocated for a request pursuant to this section, the corporation shall prepare a grant agreement between the business

requesting funds and the corporation. Such agreement must include, but need not be limited to:

- a. Identification of the personnel necessary to conduct the instructional program, instructional program description, and any vendors used to conduct the instructional program.
- b. Identification of the estimated duration of the instructional program.
- c. Identification of all direct, training-related costs.
- d. Identification of special program requirements that are not otherwise addressed in the agreement.
- e. Permission to access aggregate information specific to the wages and performance of participants upon the completion of instruction for evaluation purposes. The agreement must specify that any evaluation published subsequent to the instruction may not identify the employer or any individual participant.

4. A business may receive a grant under the Quick-Response Training Program created under s. 288.047 and a grant under this section for the same veteran trainee. ~~If a business receives funds under both programs, one grant agreement may be entered into with CareerSource Florida, Inc., as the grant administrator.~~

(e) Contract with one or more entities to administer an entrepreneur initiative program for veterans in this state which connects business leaders in the state with veterans seeking to become entrepreneurs.

1. The corporation shall award each contract in accordance with the competitive bidding requirements in s. 287.057 to one or more public or private entities that:

- a. Demonstrate the ability to implement the program and the commitment of resources, including financial resources, to such programs.
- b. Have a demonstrated experience working with veteran entrepreneurs.
- c. As determined by the corporation, have been recognized for their performance in assisting entrepreneurs to launch successful businesses in the state.

2. Each contract must include performance metrics, including a focus on employment and business creation. The entity may also work with a university or college offering related programs to refer veterans or to provide services. The entrepreneur initiative program may include activities and assistance such as peer-to-peer learning sessions, mentoring, technical assistance, business roundtables, networking opportunities, support of

student organizations, speaker series, or other tools within a virtual environment.

(f) As the state’s principal assistance organization under the United States Department of Defense’s SkillBridge program for qualified businesses in this state and for transitioning servicemembers who reside in, or who wish to reside in, this state, the corporation shall:

1. Establish and maintain, as applicable, its certification for the SkillBridge program or any other similar workforce training and transition programs established by the United States Department of Defense;
2. Educate businesses, business associations, and transitioning servicemembers on the SkillBridge program and its benefits, and educate military command and personnel within the state on the opportunities available to transitioning servicemembers through the SkillBridge program;
3. Assist businesses in obtaining approval for skilled workforce training curricula under the SkillBridge program, including, but not limited to, apprenticeships, internships, or fellowships; and
4. Match transitioning servicemembers who are deemed eligible for SkillBridge participation by their military command with training opportunities offered by the corporation or participating businesses, with the intent of having transitioning servicemembers achieve gainful employment in this state upon completion of their SkillBridge training.

(g) Assist veterans and their spouses in accessing training, education, and employment in health care professions.

(h) Coordinate with the Office of Veteran Licensure Services within the Department of Health to assist veterans and their spouses in obtaining licensure pursuant to s. 456.024.

Section 5. Subsection (13) of section 456.013, Florida Statutes, is amended to read:

456.013 Department; general licensing provisions.—

~~(13) The department shall waive the initial licensing fee, the initial application fee, and the initial unlicensed activity fee for a military veteran or his or her spouse at the time of discharge, if he or she applies to the department for an initial license within 60 months after the veteran is honorably discharged from any branch of the United States Armed Forces. The applicant must apply for the fee waiver using a form prescribed by the department and must submit supporting documentation as required by the department.~~

Section 6. Section 456.024, Florida Statutes, is amended to read:

456.024 Members of Armed Forces and veterans in good standing with administrative boards or the department; spouses; licensure.—

(1) ~~A~~ Any member of the United States Armed Forces of the United States now or hereafter on active duty who, at the time of becoming such a member, was in good standing with a health care practitioner any administrative board of the state, or the department when there is no board, and was entitled to practice a health care ~~or engage in his or her profession or vocation in this~~ the state shall be kept in good standing by such administrative board, or the department when there is no board, without registering, paying dues or fees, or performing any other act ~~on his or her part to be performed~~, as long as the member is he or she is a member of the Armed Forces of the United States on active duty and for a period of 6 months after discharge and from active duty as a member of the Armed Forces of the United States, provided he or she is not practicing engaged in his or her licensed profession ~~or vocation~~ in the private sector for profit.

(2) The department shall waive the initial licensing fee, the initial application fee, and the initial unlicensed activity fee for a veteran or his or her spouse if the veteran is honorably discharged from any branch of the United States Armed Forces. The applicant must apply for the fee waiver using a form prescribed by the department and must submit supporting documentation as required by the department. The applicant may apply for a fee waiver up to 6 months before discharge.

(3)(2) The boards listed in s. 20.43, or the department when there is no board, shall adopt rules exempting the spouses of members of the Armed Forces of the United States from licensure renewal provisions, but only in cases of absence from the state because of their spouses' duties with the Armed Forces.

(4)(3)(a) A person is eligible for licensure as a health care practitioner in this state if he or she:

1. Serves or has served as a health care practitioner in the United States Armed Forces, the United States Reserve Forces, or the National Guard;

2. Serves or has served on active duty with the United States Armed Forces as a health care practitioner in the United States Public Health Service; or

3. Is a health care practitioner in another state, the District of Columbia, or a possession or territory of the United States and is the spouse of a person serving on active duty with the United States Armed Forces.

The department shall develop an application form, and each board, or the department if there is no board, shall waive the application fee, licensure fee, and unlicensed activity fee for such applicants. For purposes of this subsection, "health care practitioner" means a health care practitioner as

defined in s. 456.001 and a person licensed under part III of chapter 401 or part IV of chapter 468.

(b) The board, or the department if there is no board, shall issue a license to practice in this state to a person who:

1. Submits a complete application.

2. If he or she is a member of the United States Armed Forces, the United States Reserve Forces, or the National Guard, submits proof that he or she has received an honorable discharge within 6 months before, or will receive an honorable discharge ~~within 6 months~~ after, the date of submission of the application.

3.a. Holds an active, unencumbered license issued by another state, the District of Columbia, or a possession or territory of the United States and who has not had disciplinary action taken against him or her in the 5 years preceding the date of submission of the application;

b. Is a military health care practitioner in a profession for which licensure in a state or jurisdiction is not required to practice in the United States Armed Forces, if he or she submits to the department evidence of military training or experience substantially equivalent to the requirements for licensure in this state in that profession and evidence that he or she has obtained a passing score on the appropriate examination of a national or regional standards organization if required for licensure in this state; or

c. Is the spouse of a person serving on active duty in the United States Armed Forces and is a health care practitioner in a profession for which licensure in another state or jurisdiction is not required, if he or she submits to the department evidence of training or experience substantially equivalent to the requirements for licensure in this state in that profession and evidence that he or she has obtained a passing score on the appropriate examination of a national or regional standards organization if required for licensure in this state.

4. Attests that he or she is not, at the time of submission of the application, the subject of a disciplinary proceeding in a jurisdiction in which he or she holds a license or by the United States Department of Defense for reasons related to the practice of the profession for which he or she is applying.

5. Actively practiced the profession for which he or she is applying for the 3 years preceding the date of submission of the application.

6. Submits a set of fingerprints for a background screening pursuant to s. 456.0135, if required for the profession for which he or she is applying.

The department shall verify information submitted by the applicant under this subsection using the National Practitioner Data Bank.

(c) Each applicant who meets the requirements of this subsection shall be licensed with all rights and responsibilities as defined by law. The applicable board, or the department if there is no board, may deny an application if the applicant has been convicted of or pled guilty or nolo contendere to, regardless of adjudication, a any felony or misdemeanor related to the practice of a health care profession regulated by this state.

(d) An applicant for initial licensure under this subsection must submit the information required by ss. 456.039(1) and 456.0391(1) no later than 1 year after the license is issued.

~~(5)~~(4)(a) The board, or the department if there is no board, shall issue a professional license to the spouse of an active duty member of the United States Armed Forces of the United States who submits all of the following to the department:

1. A completed application upon a form prepared and furnished by the department in accordance with the board's rules;

2. Proof that the applicant is married to a member of the United States Armed Forces of the United States who is on active duty;

3. Proof that the applicant holds a valid license for the profession issued by another state, the District of Columbia, or a possession or territory of the United States, and is not the subject of any disciplinary proceeding in any jurisdiction in which the applicant holds a license to practice a profession regulated by this chapter;

4. Proof that the applicant's spouse is assigned to a duty station in this state pursuant to the member's official active duty military orders; ~~and~~

5. Proof that the applicant would otherwise be entitled to full licensure under the appropriate practice act, and is eligible to take the respective licensure examination as required in Florida.

(b) The applicant must also submit to the Department of Law Enforcement a complete set of fingerprints. The Department of Law Enforcement shall conduct a statewide criminal history check and forward the fingerprints to the Federal Bureau of Investigation for a national criminal history check.

(c) Each board, or the department if there is no board, shall review the results of the state and federal criminal history checks according to the level 2 screening standards in s. 435.04 when granting an exemption and when granting or denying the license.

(d) The applicant shall pay the cost of fingerprint processing. If the fingerprints are submitted through an authorized agency or vendor, the agency or vendor shall collect the required processing fees and remit the fees to the Department of Law Enforcement.

(e) The department shall waive the applicant’s licensure application fee.

(f) An applicant for a license under this subsection is subject to ~~the requirements under s. 456.013(3)(a) and (c).~~

(g) An applicant shall be deemed ineligible for a license pursuant to this section if the applicant:

1. Has been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession;

2. Has had a health care provider license revoked or suspended from another of the United States, the District of Columbia, or a United States territory;

3. Has been reported to the National Practitioner Data Bank, unless the applicant has successfully appealed to have his or her name removed from the data bank; or

4. Has previously failed the Florida examination required to receive a license to practice the profession for which the applicant is seeking a license.

(h) The board, or the department if there is no board, may revoke a license upon finding that the individual violated the profession’s governing practice act.

(i) The board, or the department if there is no board, shall expedite all applications submitted by a spouse of an active duty member or veteran of the United States Armed Forces ~~of the United States~~ pursuant to this subsection and shall issue a license within 7 days after receipt of all required documentation for such application.

~~(6)(5)~~ The spouse of a person serving on active duty with the United States Armed Forces shall have a defense to any citation and related cause of action brought under s. 456.065 if the following conditions are met:

(a) The spouse holds an active, unencumbered license issued by another state or jurisdiction to provide health care services for which there is no equivalent license in this state.

(b) The spouse is providing health care services within the scope of practice of the out-of-state license.

(c) The training or experience required by the out-of-state license is substantially similar to the license requirements to practice a similar health care profession in this state.

Section 7. Subsection (7) of section 456.0241, Florida Statutes, is renumbered as subsection (6), paragraph (b) of subsection (2) and present

subsection (6) are amended, and a new subsection (7) is added to that section, to read:

456.0241 Temporary certificate for active duty military health care practitioners.—

(2) The department may issue a temporary certificate to an active duty military health care practitioner to practice in a regulated profession in this state if the applicant:

(b) Submits a complete application ~~and a nonrefundable application fee.~~

The department shall verify information submitted by the applicant under this subsection using the National Practitioner Data Bank.

~~(6) The department shall, by rule, set an application fee not to exceed \$50 and a renewal fee not to exceed \$50.~~

~~(7) The department shall waive the temporary licensing fee.~~

Section 8. Section 456.0242, Florida Statutes, is created to read:

456.0242 Office of Veteran Licensure Services.—

(1) The Office of Veteran Licensure Services is established within the Division of Medical Quality Assurance. The office shall assist active duty members of the United States Armed Forces, the United States Reserve Forces, and the National Guard, veterans, and the spouses of veterans who seek to become a licensed health care practitioner in this state.

(2) The office shall be headed by an executive director, designated by the department, who must be a veteran.

(3) The office shall:

(a) Provide information, guidance, direction, and assistance with the licensure process.

(b) Coordinate with each board, or the department if there is no board, to expedite all applications submitted pursuant to s. 456.024.

(c) Refer an individual requesting assistance with resume writing and proofreading, job application completion, and interviewing skills and techniques to Florida Is For Veterans, Inc.

(d) Refer an individual requesting information about educational or employment opportunities in health care professions to Florida Is For Veterans, Inc.

(e) Submit a report by November 11 of each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The report must categorize each individual as an active duty member, a veteran, or a veteran’s spouse and must include, but is not limited to:

1. The number of individuals served.

2. The educational and training background of each individual seeking licensure.

3. Each health care license an individual holds in another state, irrespective of the current status of such license.

4. The number of licensure applications received.

5. The average number of calendar days required to license a qualified applicant.

6. The number of referrals made for vocational assistance.

(4) The department may adopt rules necessary to implement this section.

Section 9. For the 2023-2024 fiscal year, four full-time equivalent positions with associated salary rate of 223,879 are authorized and the sums of \$380,209 in recurring funds and \$19,356 in nonrecurring funds from the Medical Quality Assurance Trust Fund are appropriated to the Department of Health for the purpose of implementing this act.

Section 10. This act shall take effect July 1, 2023.

Approved by the Governor May 26, 2023.

Filed in Office Secretary of State May 26, 2023.