

CHAPTER 2024-243

Committee Substitute for Committee Substitute for House Bill No. 975

An act relating to background screenings and certifications; amending s. 420.621, F.S.; defining the term “person with lived experience”; creating s. 420.6241, F.S.; providing legislative intent; providing qualifications for a person seeking certification as a person with lived experience; requiring continuum of care lead agencies to submit certain information to the Department of Children and Families for purposes of background screening; providing duties of the department; prescribing screening requirements; specifying disqualifying offenses for a person applying for certification; authorizing a person who does not meet background screening requirements to apply to the department for an exemption from disqualification; requiring the department to accept or reject such application within a specified time; amending s. 435.04, F.S.; specifying additional disqualifying offenses under the background screening requirements for certain persons; amending s. 435.07, F.S.; revising requirements for exemptions from disqualification from employment; amending s. 943.0438, F.S.; revising the effective date of a requirement that independent sanctioning authorities conduct level 2 background screenings of current and prospective athletic coaches; amending s. 456.0135, F.S.; expanding certain background screening requirements to apply to additional health care practitioners; providing applicability; requiring specified health care practitioners licensed before a specified date to comply with certain background screening requirements upon their next licensure renewal that takes place on or after a specified date; prohibiting the Department of Health from renewing specified health care practitioner licenses under certain circumstances beginning on a specified date; amending ss. 457.105, 463.006, 465.007, 465.0075, 466.006, 466.0067, 466.007, 467.011, 468.1185, 468.1215, 468.1695, 468.209, 468.213, 468.355, 468.358, 468.509, 468.513, 468.803, 478.45, 483.815, 483.901, 483.914, 484.007, 484.045, 486.031, 486.102, 490.005, 490.0051, 490.006, 491.0045, 491.0046, 491.005, and 491.006, F.S.; revising licensure, registration, or certification requirements, as applicable, for acupuncturists; optometrists; pharmacists; pharmacist licenses by endorsement; dentists; health access dental licenses; dental hygienists; midwives; speech-language pathologists and audiologists; speech-language pathology assistants and audiology assistants; nursing home administrators; occupational therapists and occupational therapy assistants; occupational therapist and occupational therapy assistant licenses by endorsement; respiratory therapists; respiratory therapist licenses by endorsement; dietitian/nutritionists; dietitian/nutritionist licenses by endorsement; practitioners of orthotics, prosthetics, or pedorthics; electrologists; clinical laboratory personnel; medical physicists; genetic counselors; opticians; hearing aid specialists; physical therapists; physical therapist assistants; psychologists and school psychologists; provisional licenses for

psychologists; psychologist and school psychologist licenses by endorsement; intern registrations for clinical social work, marriage and family therapy, and mental health counseling; provisional licenses for clinical social workers, marriage and family therapists, and mental health counselors; clinical social workers, marriage and family therapists, and mental health counselors; and clinical social worker, marriage and family therapist, and mental health counselor licenses by endorsement, respectively, to include background screening requirements; making conforming and technical changes; amending ss. 468.505 and 491.003, F.S.; conforming cross-references; providing an appropriation; providing effective dates.

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

Section 1. Effective July 1, 2024, present subsection (6) of section 420.621, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

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

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

Section 2. Effective July 1, 2024, section 420.6241, Florida Statutes, is created to read:

420.6241 Persons with lived experience.—

(1) LEGISLATIVE INTENT.—The Legislature finds that the ability to provide adequate homeless services is limited due to a shortage of professionals and paraprofessionals in the field. Persons with lived experience of homelessness are uniquely qualified to provide effective support services because they share common life experiences with the persons they assist. A person with lived experience may have a criminal history that prevents him or her from meeting background screening requirements.

(2) QUALIFICATIONS.—A person may seek certification as a person with lived experience if he or she has received homeless services. A continuum of care lead agency serving the homeless must include documentation of the homeless services such person received when requesting a background check of the applicant.

(3) DUTIES OF THE DEPARTMENT.—The department shall ensure that an applicant’s background screening required to achieve certification is conducted as provided in subsection (4).

(4) BACKGROUND SCREENING.—

(a) The background screening conducted under this subsection must ensure that the qualified applicant has not, during the preceding 3 years, been arrested for and is not awaiting final disposition of, has not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or has not been adjudicated delinquent and the record has been sealed or expunged for, any felony.

(b) The background screening conducted under this subsection must ensure that the qualified applicant has not been arrested for and is not awaiting final disposition of, has not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or has not been adjudicated delinquent and the record has been sealed or expunged for, any offense prohibited under any of the following state laws or similar laws of another jurisdiction:

1. Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

2. Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

3. Section 409.920, relating to Medicaid provider fraud, if the offense is a felony of the first or second degree.

4. Section 415.111, relating to criminal penalties for abuse, neglect, or exploitation of vulnerable adults.

5. Any offense that constitutes domestic violence, as defined in s. 741.28.

6. Section 777.04, relating to attempts, solicitation, and conspiracy to commit an offense listed in this paragraph.

7. Section 782.04, relating to murder.

8. Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or a disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

9. Section 782.071, relating to vehicular homicide.

10. Section 782.09, relating to killing of an unborn child by injury to the mother.

11. Chapter 784, relating to assault, battery, and culpable negligence, if the offense is a felony.

12. Section 787.01, relating to kidnapping.

13. Section 787.02, relating to false imprisonment.

14. Section 787.025, relating to luring or enticing a child.

15. Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

16. Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

17. Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.

18. Section 790.115(2)(b), relating to possessing an electric weapon or device, a destructive device, or any other weapon on school property.

19. Section 794.011, relating to sexual battery.

20. Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.

21. Section 794.05, relating to unlawful sexual activity with certain minors.

22. Section 794.08, relating to female genital mutilation.

23. Section 796.07, relating to procuring another to commit prostitution, except for those offenses expunged pursuant to s. 943.0583.

24. Section 798.02, relating to lewd and lascivious behavior.

25. Chapter 800, relating to lewdness and indecent exposure.

26. Section 806.01, relating to arson.

27. Section 810.02, relating to burglary, if the offense is a felony of the first degree.

28. Section 810.14, relating to voyeurism, if the offense is a felony.

29. Section 810.145, relating to video voyeurism, if the offense is a felony.

30. Section 812.13, relating to robbery.

31. Section 812.131, relating to robbery by sudden snatching.

32. Section 812.133, relating to carjacking.

33. Section 812.135, relating to home-invasion robbery.

34. Section 817.034, relating to communications fraud, if the offense is a felony of the first degree.

35. Section 817.234, relating to false and fraudulent insurance claims, if the offense is a felony of the first or second degree.

36. Section 817.50, relating to fraudulently obtaining goods or services from a health care provider and false reports of a communicable disease.

37. Section 817.505, relating to patient brokering.

38. Section 817.568, relating to fraudulent use of personal identification, if the offense is a felony of the first or second degree.

39. Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or a disabled adult.

40. Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or a disabled person.

41. Section 825.103, relating to exploitation of an elderly person or a disabled adult, if the offense is a felony.

42. Section 826.04, relating to incest.

43. Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

44. Section 827.04, relating to contributing to the delinquency or dependency of a child.

45. Former s. 827.05, relating to negligent treatment of children.

46. Section 827.071, relating to sexual performance by a child.

47. Section 831.30, relating to fraud in obtaining medicinal drugs.

48. Section 831.31, relating to the sale, manufacture, delivery, or possession with intent to sell, manufacture, or deliver any counterfeit controlled substance, if the offense is a felony.

49. Section 843.01, relating to resisting arrest with violence.

50. Section 843.025, relating to depriving a law enforcement, correctional, or correctional probation officer of the means of protection or communication.

51. Section 843.12, relating to aiding in an escape.

52. Section 843.13, relating to aiding in the escape of juvenile inmates of correctional institutions.

53. Chapter 847, relating to obscenity.

54. Section 874.05, relating to encouraging or recruiting another to join a criminal gang.

55. Chapter 893, relating to drug abuse prevention and control, if the offense is a felony of the second degree or greater severity.

56. Section 895.03, relating to racketeering and collection of unlawful debts.

57. Section 896.101, relating to the Florida Money Laundering Act.

58. Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

59. Section 944.35(3), relating to inflicting cruel or inhuman treatment on an inmate, resulting in great bodily harm.

60. Section 944.40, relating to escape.

61. Section 944.46, relating to harboring, concealing, or aiding an escaped prisoner.

62. Section 944.47, relating to introduction of contraband into a correctional institution.

63. Section 985.701, relating to sexual misconduct in juvenile justice programs.

64. Section 985.711, relating to introduction of contraband into a detention facility.

(5) EXEMPTION REQUESTS.—An applicant who desires to become a certified person with lived experience but is disqualified under subsection (4) may apply to the department for an exemption from disqualification under s. 435.07, as applicable. The department shall accept or reject an application for exemption within 90 days after receiving the application from the applicant.

Section 3. Effective July 1, 2024, subsection (2) of section 435.04, Florida Statutes, as amended by section 2 of chapter 2023-220, Laws of Florida, is amended to read:

435.04 Level 2 screening standards.—

(2) The security background investigations under this section must ensure that persons subject to this section have not been arrested for and are awaiting final disposition of; have not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to; or have not been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under any of the following provisions of state law or similar law of another jurisdiction:

(a) Section 39.205, relating to the failure to report child abuse, abandonment, or neglect.

~~(b)~~ Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

~~(c)(b)~~ Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(d) Section 414.39, relating to fraud, if the offense was a felony.

~~(e)(e)~~ Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

~~(f)(d)~~ Section 777.04, relating to attempts, solicitation, and conspiracy to commit an offense listed in this subsection.

~~(g)(e)~~ Section 782.04, relating to murder.

~~(h)(f)~~ Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.

~~(i)(g)~~ Section 782.071, relating to vehicular homicide.

~~(j)(h)~~ Section 782.09, relating to killing of an unborn child by injury to the mother.

~~(k)(i)~~ Chapter 784, relating to assault, battery, and culpable negligence, if the offense was a felony.

~~(l)(j)~~ Section 784.011, relating to assault, if the victim of the offense was a minor.

~~(m)(k)~~ Section 784.021, relating to aggravated assault.

~~(n)(l)~~ Section 784.03, relating to battery, if the victim of the offense was a minor.

~~(o)(m)~~ Section 784.045, relating to aggravated battery.

~~(p)(n)~~ Section 784.075, relating to battery on staff of a detention or commitment facility or on a juvenile probation officer.

~~(q)(o)~~ Section 787.01, relating to kidnapping.

~~(r)(p)~~ Section 787.02, relating to false imprisonment.

~~(s)(q)~~ Section 787.025, relating to luring or enticing a child.

~~(t)(r)~~ Section 787.04(2), relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.

~~(u)(s)~~ Section 787.04(3), relating to carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.

- (v) Section 787.06, relating to human trafficking.
- (w) Section 787.07, relating to human smuggling.
- (x)(t) Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.
- (y)(u) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon on school property.
- (z)(v) Section 794.011, relating to sexual battery.
- (aa)(w) Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.
- (bb)(x) Section 794.05, relating to unlawful sexual activity with certain minors.
- (cc)(y) Section 794.08, relating to female genital mutilation.
- (dd)(z) Chapter 796, relating to prostitution.
- (ee)(aa) Section 798.02, relating to lewd and lascivious behavior.
- (ff)(bb) Chapter 800, relating to lewdness and indecent exposure and offenses against students by authority figures.
- (gg)(ee) Section 806.01, relating to arson.
- (hh)(dd) Section 810.02, relating to burglary.
- (ii)(ee) Section 810.14, relating to voyeurism, if the offense is a felony.
- (jj)(ff) Section 810.145, relating to video voyeurism, if the offense is a felony.
- (kk)(gg) Chapter 812, relating to theft, robbery, and related crimes, if the offense is a felony.
- (ll)(hh) Section 817.563, relating to fraudulent sale of controlled substances, only if the offense was a felony.
- (mm)(ii) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- (nn)(jj) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.
- (oo)(kk) Section 825.103, relating to exploitation of an elderly person or disabled adult, if the offense was a felony.
- (pp)(ll) Section 826.04, relating to incest.

~~(qq)(mm)~~ Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

~~(rr)(nn)~~ Section 827.04, relating to contributing to the delinquency or dependency of a child.

~~(ss)(oo)~~ Former s. 827.05, relating to negligent treatment of children.

~~(tt)(pp)~~ Section 827.071, relating to sexual performance by a child.

(uu) Section 831.311, relating to the unlawful sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances.

(vv) Section 836.10, relating to written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.

~~(ww)(qq)~~ Section 843.01, relating to resisting arrest with violence.

~~(xx)(rr)~~ Section 843.025, relating to depriving a law enforcement, correctional, or correctional probation officer means of protection or communication.

~~(yy)(ss)~~ Section 843.12, relating to aiding in an escape.

~~(zz)(tt)~~ Section 843.13, relating to aiding in the escape of juvenile inmates in correctional institutions.

~~(aaa)(uu)~~ Chapter 847, relating to obscene literature.

(bbb) Section 859.01, relating to poisoning food or water.

(ccc) Section 873.01, relating to the prohibition on the purchase or sale of human organs and tissue.

~~(ddd)(vv)~~ Section 874.05, relating to encouraging or recruiting another to join a criminal gang.

~~(eee)(ww)~~ Chapter 893, relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.

~~(fff)(xx)~~ Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

~~(ggg)(yy)~~ Section 944.35(3), relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.

~~(hhh)(zz)~~ Section 944.40, relating to escape.

~~(iii)(aaa)~~ Section 944.46, relating to harboring, concealing, or aiding an escaped prisoner.

~~(jjj)(bbb)~~ Section 944.47, relating to introduction of contraband into a correctional facility.

~~(kkk)(eee)~~ Section 985.701, relating to sexual misconduct in juvenile justice programs.

~~(lll)(ddd)~~ Section 985.711, relating to contraband introduced into detention facilities.

Section 4. Effective July 1, 2024, subsection (1) of section 435.07, Florida Statutes, as amended by section 3 of chapter 2023-220, Laws of Florida, is amended to read:

435.07 Exemptions from disqualification.—Unless otherwise provided by law, the provisions of this section apply to exemptions from disqualification for disqualifying offenses revealed pursuant to background screenings required under this chapter, regardless of whether those disqualifying offenses are listed in this chapter or other laws.

(1)(a) The head of the appropriate agency or qualified entity may grant to any employee or person with an affiliation otherwise disqualified from employment an exemption from disqualification for:

1. Felonies for which at least 2 ~~3~~ years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying felony;

2. Misdemeanors prohibited under any of the statutes cited in this chapter or under similar statutes of other jurisdictions for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court;

3. Offenses that were felonies when committed but that are now misdemeanors and for which the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court; or

4. Findings of delinquency. For offenses that would be felonies if committed by an adult and the record has not been sealed or expunged, the exemption may not be granted until at least 3 years have elapsed since the applicant for the exemption has completed or been lawfully released from confinement, supervision, or nonmonetary condition imposed by the court for the disqualifying offense.

(b) A person applying for an exemption who was ordered to pay any amount for any fee, fine, fund, lien, ~~civil judgment~~, application, costs of prosecution, trust, or restitution as part of the judgment and sentence for any disqualifying felony or misdemeanor must pay the court-ordered amount in full before he or she is eligible for the exemption.

For the purposes of this subsection, the term “felonies” means both felonies prohibited under any of the statutes cited in this chapter or under similar statutes of other jurisdictions.

Section 5. Effective July 1, 2024, paragraph (a) of subsection (2) of section 943.0438, Florida Statutes, as amended by section 5 of chapter 2023-220, Laws of Florida, is amended to read:

943.0438 Athletic coaches for independent sanctioning authorities.—

(2) An independent sanctioning authority shall:

(a) Effective January 1, 2025, conduct a level 2 background screening under s. 435.04 of each current and prospective athletic coach. The authority may not delegate this responsibility to an individual team and may not authorize any person to act as an athletic coach unless a level 2 background screening is conducted and does not result in disqualification under paragraph (b).

Section 6. Subsection (1) of section 456.0135, Florida Statutes, is amended to read:

456.0135 General background screening provisions.—

(1) An application for initial licensure received on or after January 1, 2013, under chapter 458, chapter 459, chapter 460, chapter 461, ~~chapter 462, chapter 463, chapter 464, s. 465.007, s. 465.0075, chapter 466, chapter 467, part I, part II, part III, part V, part X~~ s. 465.022, part XIII, or part XIV of chapter 468, ~~chapter 478, or chapter 480, chapter 483, chapter 484, chapter 486, chapter 490, or chapter 491~~ must ~~shall~~ include fingerprints pursuant to procedures established by the department through a vendor approved by the Department of Law Enforcement and fees imposed for the initial screening and retention of fingerprints. Fingerprints must be submitted electronically to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing. Each board, or the department if there is no board, must ~~shall~~ screen the results to determine whether if an applicant meets licensure requirements. For any subsequent renewal of the applicant’s license which ~~that~~ requires a national criminal history check, the department shall request the Department of Law Enforcement to forward the retained fingerprints of the applicant to the Federal Bureau of Investigation unless the fingerprints are enrolled in the national retained print arrest notification program.

Section 7. Beginning July 1, 2025, the amendments made by this act to s. 456.0135, Florida Statutes, apply to applicants seeking initial licensure in any of the health care professions specified in that section. To ensure that all health care practitioners practicing in the health care professions subject to the background screening requirements for initial licensure under s. 456.0135, Florida Statutes, as amended by this act, are screened, health

care practitioners who were already licensed in such health care professions before July 1, 2025, must submit to background screening in accordance with s. 456.0135, Florida Statutes, by their next licensure renewal that takes place on or after July 1, 2025, notwithstanding the fact that s. 456.0135, Florida Statutes, applies to initial licensure only. The Department of Health may not renew the license of such a health care practitioner after July 1, 2025, until he or she complies with these background screening requirements.

Section 8. Subsection (2) of section 457.105, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

457.105 Licensure qualifications and fees.—

(2) A person may become licensed to practice acupuncture if the person applies to the department and meets all of the following criteria:

(a) Is 21 years of age or older, has good moral character, and has the ability to communicate in English, which is demonstrated by having passed the national written examination in English or, if such examination was passed in a foreign language, by also having passed a nationally recognized English proficiency examination.;

(b) Has completed 60 college credits from an accredited postsecondary institution as a prerequisite to enrollment in an authorized 3-year course of study in acupuncture and oriental medicine, and has completed a 3-year course of study in acupuncture and oriental medicine, and effective July 31, 2001, a 4-year course of study in acupuncture and oriental medicine, which meets standards established by the board by rule, which standards include, but are not limited to, successful completion of academic courses in western anatomy, western physiology, western pathology, western biomedical terminology, first aid, and cardiopulmonary resuscitation (CPR). However, any person who enrolled in an authorized course of study in acupuncture before August 1, 1997, must have completed only a 2-year course of study which meets standards established by the board by rule, which standards must include, but are not limited to, successful completion of academic courses in western anatomy, western physiology, and western pathology.;

(c) Has successfully completed a board-approved national certification process, meets the requirements for licensure by endorsement under s. 456.0145, or passes an examination administered by the department, which examination tests the applicant's competency and knowledge of the practice of acupuncture and oriental medicine. At the request of any applicant, oriental nomenclature for the points must ~~shall~~ be used in the examination. The examination must ~~shall~~ include a practical examination of the knowledge and skills required to practice modern and traditional acupuncture and oriental medicine, covering diagnostic and treatment techniques and procedures.;

(d) Pays the required fees set by the board by rule not to exceed the following amounts:

1. Examination fee: \$500 plus the actual per applicant cost to the department for purchase of the written and practical portions of the examination from a national organization approved by the board.

2. Application fee: \$300.

3. Reexamination fee: \$500 plus the actual per applicant cost to the department for purchase of the written and practical portions of the examination from a national organization approved by the board.

4. Initial biennial licensure fee: \$400, if licensed in the first half of the biennium, and \$200, if licensed in the second half of the biennium.

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

Section 9. Subsection (1) of section 463.006, Florida Statutes, is amended to read:

463.006 Licensure and certification by examination.—

(1) Any person desiring to be a licensed practitioner ~~under pursuant to~~ this chapter must apply to the department, submit to background screening in accordance with s. 456.0135, and ~~must~~ submit proof to the department that she or he meets all of the following criteria:

(a) Has completed the application forms as required by the board, remitted an application fee for certification not to exceed \$250, remitted an examination fee for certification not to exceed \$250, and remitted an examination fee for licensure not to exceed \$325, all as set by the board.

(b) Is at least 18 years of age.

(c) Has graduated from an accredited school or college of optometry approved by rule of the board.

(d) Is of good moral character.

(e) Has successfully completed at least 110 hours of transcript-quality coursework and clinical training in general and ocular pharmacology as determined by the board, at an institution that:

1. Has facilities for both didactic and clinical instructions in pharmacology; and

2. Is accredited by a regional or professional accrediting organization that is recognized and approved by the Commission on Recognition of Postsecondary Accreditation or the United States Department of Education.

(f) Has completed at least 1 year of supervised experience in differential diagnosis of eye disease or disorders as part of the optometric training or in a clinical setting as part of the optometric experience.

Section 10. Subsection (1) of section 465.007, Florida Statutes, is amended to read:

465.007 Licensure by examination.—

(1) Any person desiring to be licensed as a pharmacist shall apply to the department to take the licensure examination. The department shall examine each applicant who the board certifies has met all of the following criteria:

(a) Completed the application form and remitted an examination fee set by the board not to exceed \$100 plus the actual per applicant cost to the department for purchase of portions of the examination from the National Association of Boards of Pharmacy or a similar national organization. The fees authorized under this section shall be established in sufficient amounts to cover administrative costs.

(b) Submitted to background screening in accordance with s. 456.0135.

(c)(b) Submitted satisfactory proof that she or he is not less than 18 years of age and:

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

2. Is a graduate of a 4-year undergraduate pharmacy program of a school or college of pharmacy located outside the United States, has demonstrated proficiency in English by passing both the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE), has passed the Foreign Pharmacy Graduate Equivalency Examination that is approved by rule of the board, and has completed a minimum of 500 hours in a supervised work activity program within this state under the supervision of a pharmacist licensed by the department, which program is approved by the board.

(d)(e) Submitted satisfactory proof that she or he has completed an internship program approved by the board. No such board-approved program shall exceed 2,080 hours, all of which may be obtained prior to graduation.

Section 11. Subsection (1) of section 465.0075, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

465.0075 Licensure by endorsement; requirements; fee.—The department shall issue a license by endorsement to any applicant who, upon applying to the department, submitting to background screening in

accordance with s. 456.0135, and remitting a nonrefundable fee set by the board in an amount not to exceed \$100, the board certifies has met the requirements for licensure by endorsement under s. 456.0145.

Section 12. Paragraph (b) of subsection (1) of section 466.006, Florida Statutes, is amended to read:

466.006 Examination of dentists.—

(1)

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

2. Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

Section 13. Section 466.0067, Florida Statutes, is amended to read:

466.0067 Application for health access dental license.—The Legislature finds that there is an important state interest in attracting dentists to practice in underserved health access settings in this state and further, that allowing out-of-state dentists who meet certain criteria to practice in health access settings without the supervision of a dentist licensed in this state is substantially related to achieving this important state interest. Therefore, notwithstanding the requirements of s. 466.006, the board shall grant a health access dental license to practice dentistry in this state in health access settings as defined in s. 466.003 to an applicant who meets all of the following criteria:

(1) Files an appropriate application approved by the board.;

(2) Pays an application license fee for a health access dental license, laws-and-rule exam fee, and an initial licensure fee. The fees specified in this subsection may not differ from an applicant seeking licensure pursuant to s. 466.006.;

(3) Has submitted to background screening in accordance with s. 456.0135 and has not been convicted of or pled nolo contendere to, regardless of adjudication, any felony or misdemeanor related to the practice of a health care profession.;

(4) Submits proof of graduation from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency.;

(5) Submits documentation that she or he has completed, or will obtain before licensure, continuing education equivalent to this state's requirement for dentists licensed under s. 466.006 for the last full reporting biennium before applying for a health access dental license.;

(6) Submits proof of her or his successful completion of parts I and II of the dental examination by the National Board of Dental Examiners and a state or regional clinical dental licensing examination that the board has determined effectively measures the applicant's ability to practice safely.;

(7) Currently holds a valid, active dental license in good standing which has not been revoked, suspended, restricted, or otherwise disciplined from another of the United States, the District of Columbia, or a United States territory.;

(8) Has never had a license revoked from another of the United States, the District of Columbia, or a United States territory.;

(9) Has never failed the examination specified in s. 466.006, unless the applicant was reexamined pursuant to s. 466.006 and received a license to practice dentistry in this state.;

(10) Has not been reported to the National Practitioner Data Bank, unless the applicant successfully appealed to have his or her name removed from the data bank.;

(11) Submits proof that he or she has been engaged in the active, clinical practice of dentistry providing direct patient care for 5 years immediately preceding the date of application, or in instances when the applicant has graduated from an accredited dental school within the preceding 5 years, submits proof of continuous clinical practice providing direct patient care since graduation.;

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

Section 14. Subsection (1) of section 466.007, Florida Statutes, is amended to read:

466.007 Examination of dental hygienists.—

(1)(a) Any person desiring to be licensed as a dental hygienist shall apply to the department to take the licensure examinations and shall verify the information required on the application by oath. The application must ~~shall~~ include two recent photographs of the applicant. There shall be a nonrefundable application fee set by the board not to exceed \$100 and an examination fee set by the board which shall not to exceed ~~be more than~~

§225. The examination fee may be refunded if the applicant is found ineligible to take the examinations.

(b) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

Section 15. Subsection (5) is added to section 467.011, Florida Statutes, to read:

467.011 Licensed midwives; qualifications; examination.—The department shall issue a license to practice midwifery to an applicant who meets all of the following criteria:

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

Section 16. Subsection (2) of section 468.1185, Florida Statutes, is amended to read:

468.1185 Licensure.—

(2) The board shall certify for licensure any applicant who has met all of the following criteria:

(a) Satisfied the education and supervised clinical requirements of s. 468.1155.

(b) Satisfied the professional experience requirement of s. 468.1165.

(c) Passed the licensure examination required by s. 468.1175.

(d) For an applicant for an audiologist license who has obtained a doctoral degree in audiology, has satisfied the education and supervised clinical requirements of paragraph (a) and the professional experience requirements of paragraph (b).

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

Section 17. Subsections (1) and (2) of section 468.1215, Florida Statutes, are amended to read:

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

(1) The department shall issue a certificate as a speech-language pathology assistant to each applicant who the board certifies has met all of the following criteria:

(a) Completed the application form and remitted the required fees, including a nonrefundable application fee.

(b) Submitted to background screening in accordance with s. 456.0135.

~~(c)(b)~~ Earned a bachelor's degree from a college or university accredited by a regional association of colleges and schools recognized by the Department of Education which includes at least 24 semester hours of coursework as approved by the board at an institution accredited by an accrediting agency recognized by the Council for Higher Education Accreditation.

(2) The department shall issue a certificate as an audiology assistant to each applicant who the board certifies has met all of the following criteria:

(a) Completed the application form and remitted the required fees, including a nonrefundable application fee.

(b) Submitted to background screening in accordance with s. 456.0135.

~~(c)(b)~~ Earned a high school diploma or its equivalent.

Section 18. Present subsections (2), (3), and (4) of section 468.1695, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, a new subsection (2) is added to that section, and present subsection (2) of that section is amended, to read:

468.1695 Licensure by examination.—

(2) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

~~(3)(2)~~ The department shall examine each applicant who the board certifies has completed the application form, submitted to background screening, and remitted an examination fee set by the board not to exceed \$250 and who:

(a)1. Holds a baccalaureate degree from an accredited college or university and majored in health care administration, health services administration, or an equivalent major, or has credit for at least 60 semester hours in subjects, as prescribed by rule of the board, which prepare the applicant for total management of a nursing home; and

2. Has fulfilled the requirements of a college-affiliated or university-affiliated internship in nursing home administration or of a 1,000-hour nursing home administrator-in-training program prescribed by the board; or

(b)1. Holds a baccalaureate degree from an accredited college or university; and

2.a. Has fulfilled the requirements of a 2,000-hour nursing home administrator-in-training program prescribed by the board; or

b. Has 1 year of management experience allowing for the application of executive duties and skills, including the staffing, budgeting, and directing of resident care, dietary, and bookkeeping departments within a skilled

nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed beds, or geriatric residential treatment program and, if such experience is not in a skilled nursing facility, has fulfilled the requirements of a 1,000-hour nursing home administrator-in-training program prescribed by the board.

Section 19. Subsections (1) and (2) of section 468.209, Florida Statutes, are amended to read:

468.209 Requirements for licensure.—

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

(a) Has completed the file a written application form and remitted, accompanied by the application for licensure fee prescribed in s. 468.221.

(b) Has submitted to background screening in accordance with s. 456.0135, on forms provided by the department, showing to the satisfaction of the board that she or he:

(c)(a) Is of good moral character.

(d)(b) Has successfully completed the academic requirements of an educational program in occupational therapy recognized by the board, with concentration in biologic or physical science, psychology, and sociology, and with education in selected manual skills. Such a program shall be accredited by the American Occupational Therapy Association's Accreditation Council for Occupational Therapy Education, or its successor.

(e)(e) Has successfully completed a period of supervised fieldwork experience at a recognized educational institution or a training program approved by the educational institution where she or he met the academic requirements. For an occupational therapist, a minimum of 6 months of supervised fieldwork experience is required. For an occupational therapy assistant, a minimum of 2 months of supervised fieldwork experience is required.

(f)(d) Has passed an examination conducted or adopted by the board as provided in s. 468.211.

(2) An applicant who has practiced as a state-licensed or American Occupational Therapy Association-certified occupational therapy assistant for 4 years and who, before January 24, 1988, completed a minimum of 24 weeks of supervised occupational-therapist-level fieldwork experience may take the examination to be licensed as an occupational therapist without meeting the educational requirements for occupational therapists made otherwise applicable under paragraph (1)(d) (1)(b).

Section 20. Subsection (3) is added to section 468.213, Florida Statutes, to read:

468.213 Licensure by endorsement.—

(3) Applicants for licensure by endorsement under s. 456.0145 must submit to background screening in accordance with s. 456.0135.

Section 21. Section 468.355, Florida Statutes, is amended to read:

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

Section 22. Subsection (4) of section 468.358, Florida Statutes, is amended to read:

468.358 Licensure by endorsement.—

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

Section 23. Present subsections (2), (3), and (4) of section 468.509, Florida Statutes, are redesignated as subsections (3), (4), and (5), respectively, a new subsection (2) is added to that section, and present subsection (2) of that section is amended, to read:

468.509 Dietitian/nutritionist; requirements for licensure.—

(2) Applicants for licensure must also submit to background screening in accordance with s. 456.0135.

~~(3)(2)~~ The department shall examine any applicant who the board certifies has completed the application form, submitted to background screening, and remitted the application and examination fees specified in s. 468.508 and who:

(a)1. Possesses a baccalaureate or postbaccalaureate degree with a major course of study in human nutrition, food and nutrition, dietetics, or food management, or an equivalent major course of study, from a school or program accredited, at the time of the applicant's graduation, by the appropriate accrediting agency recognized by the Commission on Recognition of Postsecondary Accreditation and the United States Department of Education; and

2. Has completed a preprofessional experience component of not less than 900 hours or has education or experience determined to be equivalent by the board; or

(b)1. Has an academic degree, from a foreign country, that has been validated by an accrediting agency approved by the United States Department of Education as equivalent to the baccalaureate or postbaccalaureate degree conferred by a regionally accredited college or university in the United States;

2. Has completed a major course of study in human nutrition, food and nutrition, dietetics, or food management; and

3. Has completed a preprofessional experience component of not less than 900 hours or has education or experience determined to be equivalent by the board.

Section 24. Section 468.513, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

468.513 Dietitian/nutritionist; licensure by endorsement.—The department shall issue a license to practice dietetics and nutrition by endorsement to any applicant who submits to background screening in accordance with s. 456.0135 and meets the requirements for licensure by endorsement under s. 456.0145, upon receipt of a completed application and the fee specified in s. 468.508.

Section 25. Subsection (2) of section 468.803, Florida Statutes, is amended to read:

468.803 License, registration, and examination requirements.—

(2) An applicant for registration, examination, or licensure must apply to the department on a form prescribed by the board for consideration of board approval. Each initial applicant shall submit fingerprints to the department in accordance with s. 456.0135 and any other procedures specified by the department for state and national criminal history checks of the applicant. The board shall screen the results to determine if an applicant meets licensure requirements. The board shall consider for examination, registration, or licensure each applicant whom the board verifies meets all of the following criteria:

(a) Has submitted the completed application and completed the fingerprinting requirements and has paid the applicable application fee, not to exceed \$500. The application fee is nonrefundable.;

(b) Is of good moral character.;

(c) Is 18 years of age or older.;

(d) Has completed the appropriate educational preparation.

Section 26. Subsection (1) of section 478.45, Florida Statutes, is amended to read:

478.45 Requirements for licensure.—

(1) An applicant applying for licensure as an electrologist shall apply to the department on forms furnished by the department. The department shall license each applicant who the board certifies meets all of the following criteria:

(a) Has completed the file a written application form and remitted, accompanied by the application for licensure fee prescribed in s. 478.55.

(b) Has submitted to background screening in accordance with s. 456.0135, on a form provided by the board, showing to the satisfaction of the board that the applicant:

(c)(a) Is at least 18 years old.

(d)(b) Is of good moral character.

(e)(e) Possesses a high school diploma or a high school equivalency diploma.

(f)(d) Has not committed an act in any jurisdiction which would constitute grounds for disciplining an electrologist in this state.

(g)(e) Has successfully completed the academic requirements of an electrolysis training program, not to exceed 120 hours, and the practical application thereof as approved by the board.

Section 27. Section 483.815, Florida Statutes, is amended to read:

483.815 Application for clinical laboratory personnel license.—An application for a clinical laboratory personnel license shall be made under oath on forms provided by the department and shall be accompanied by payment of fees as provided by this part. Applicants for licensure must also submit to background screening in accordance with s. 456.0135. A license may be issued authorizing the performance of procedures of one or more categories.

Section 28. Present paragraphs (b) through (k) of subsection (4) of section 483.901, Florida Statutes, are redesignated as paragraphs (c) through (l), respectively, a new paragraph (b) is added to that subsection, and paragraph (a) of that subsection is amended, to read:

483.901 Medical physicists; definitions; licensure.—

(4) LICENSE REQUIRED.—An individual may not engage in the practice of medical physics, including the specialties of diagnostic radiological physics, therapeutic radiological physics, medical nuclear radiological physics, or medical health physics, without a license issued by the department for the appropriate specialty.

(a) The department shall adopt rules to administer this section which specify license application and renewal fees, continuing education requirements, background screening requirements, and standards for practicing medical physics. The department shall require a minimum of 24 hours per biennium of continuing education offered by an organization approved by the department. The department may adopt rules to specify continuing education requirements for persons who hold a license in more than one specialty.

(b) Applicants for a medical physicist license must submit to background screening in accordance with s. 456.0135.

Section 29. Subsections (2) and (3) of section 483.914, Florida Statutes, are amended to read:

483.914 Licensure requirements.—

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

(a) Has completed an application.

(b) Has submitted to background screening in accordance with s. 456.0135.

(c)(b) Is of good moral character.

(d)(e) Provides satisfactory documentation of having earned:

1. A master's degree from a genetic counseling training program or its equivalent as determined by the Accreditation Council of Genetic Counseling or its successor or an equivalent entity; or

2. A doctoral degree from a medical genetics training program accredited by the American Board of Medical Genetics and Genomics or the Canadian College of Medical Geneticists.

(e)(d) Has passed the examination for certification as:

1. A genetic counselor by the American Board of Genetic Counseling, Inc., the American Board of Medical Genetics and Genomics, or the Canadian Association of Genetic Counsellors; or

2. A medical or clinical geneticist by the American Board of Medical Genetics and Genomics or the Canadian College of Medical Geneticists.

(3) The department may issue a temporary license for up to 2 years to an applicant who meets all requirements for licensure except for the certification examination requirement imposed under paragraph (2)(e) ~~(2)(d)~~ and is eligible to sit for that certification examination.

Section 30. Present paragraphs (b), (c), and (d) of subsection (1) of section 484.007, Florida Statutes, as amended by SB 1600, 2024 Regular Session, are redesignated as paragraphs (c), (d), and (e), respectively, and a new paragraph (b) is added to that subsection, to read:

484.007 Licensure of opticians; permitting of optical establishments.—

(1) Any person desiring to practice opticianry shall apply to the department, upon forms prescribed by it, to take a licensure examination. The department shall examine each applicant who the board certifies meets all of the following criteria:

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

Section 31. Subsection (2) of section 484.045, Florida Statutes, is amended to read:

484.045 Licensure by examination.—

(2) The department shall license each applicant who the board certifies meets all of the following criteria:

(a) Has completed the application form and remitted the required fees.

(b) Has submitted to background screening in accordance with s. 456.0135.

~~(c)(b)~~ Is of good moral character.

~~(d)(e)~~ Is 18 years of age or older.

~~(e)(d)~~ Is a graduate of an accredited high school or its equivalent.

~~(f)1.(e)1.~~ Has met the requirements of the training program; or

2.a. Has a valid, current license as a hearing aid specialist or its equivalent from another state and has been actively practicing in such capacity for at least 12 months; or

b. Is currently certified by the National Board for Certification in Hearing Instrument Sciences and has been actively practicing for at least 12 months.

~~(g)(f)~~ Has passed an examination, as prescribed by board rule.

~~(h)(g)~~ Has demonstrated, in a manner designated by rule of the board, knowledge of state laws and rules relating to the fitting and dispensing of prescription hearing aids.

Section 32. Subsection (1) of section 486.031, Florida Statutes, as amended by SB 1600 and SB 7016, 2024 Regular Session, is amended to read:

486.031 Physical therapist; licensing requirements; exemption.—

(1) To be eligible for licensing as a physical therapist, an applicant must meet all of the following criteria:

- (a) Be at least 18 years old.;
- (b) Be of good moral character.;

(c)1. Have graduated from a school of physical therapy which has been approved for the educational preparation of physical therapists by the appropriate accrediting agency recognized by the Council for Higher Education Accreditation, or its successor or the United States Department of Education at the time of her or his graduation and have passed, to the satisfaction of the board, the American Registry Examination before 1971 or a national examination approved by the board to determine her or his fitness for practice as a physical therapist under this chapter;

2. Have received a diploma from a program in physical therapy in a foreign country and have educational credentials deemed equivalent to those required for the educational preparation of physical therapists in this country, as recognized by the appropriate agency as identified by the board, and have passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist under this chapter; or

3. Be entitled to licensure by endorsement or without examination as provided in s. 486.081.

(d) Have submitted to background screening in accordance with s. 456.0135.

Section 33. Subsection (1) of section 486.102, Florida Statutes, as amended by SB 1600 and SB 7016, 2024 Regular Session, is amended to read:

486.102 Physical therapist assistant; licensing requirements; exemption.—

(1) To be eligible for licensing by the board as a physical therapist assistant, an applicant must meet all of the following criteria:

- (a) Be at least 18 years old.;
- (b) Be of good moral character.;

(c)1. Have graduated from a school providing a course of at least 2 years for physical therapist assistants, which has been approved for the educational preparation of physical therapist assistants by the appropriate accrediting agency recognized by the Council for Higher Education Accreditation or its successor or the United States Department of Education; at the time of her or his graduation and have passed to the satisfaction of the board

an examination to determine her or his fitness for practice as a physical therapist assistant under this chapter;

2. Have graduated from a school providing a course for physical therapist assistants in a foreign country and have educational credentials deemed equivalent to those required for the educational preparation of physical therapist assistants in this country, as recognized by the appropriate agency as identified by the board, and passed to the satisfaction of the board an examination to determine her or his fitness for practice as a physical therapist assistant under this chapter;

3. Be entitled to licensure by endorsement as provided in s. 486.107; or

4. Have been enrolled between July 1, 2014, and July 1, 2016, in a physical therapist assistant school in this state which was accredited at the time of enrollment; and

a. ~~Have graduated or be eligible to graduate from such school no later than July 1, 2018;~~ and

b. Have passed to the satisfaction of the board an examination to determine his or her fitness for practice as a physical therapist assistant as provided in s. 486.104.

(d) Have submitted to background screening in accordance with s. 456.0135.

Section 34. Present paragraphs (b), (c), and (d) of subsection (1) of section 490.005, Florida Statutes, are redesignated as paragraphs (c), (d), and (e), respectively, a new paragraph (b) is added to that subsection, and subsection (2) of that section is amended, to read:

490.005 Licensure by examination.—

(1) Any person desiring to be licensed as a psychologist shall apply to the department to take the licensure examination. The department shall license each applicant whom the board certifies has met all of the following requirements:

(b) Submitted to background screening in accordance with s. 456.0135.

(2) Any person desiring to be licensed as a school psychologist shall apply to the department to take the licensure examination. The department shall license each applicant who the department certifies has met all of the following requirements:

(a) Satisfactorily completed the application form and submitted a nonrefundable application fee not to exceed \$250 and an examination fee sufficient to cover the per applicant cost to the department for development, purchase, and administration of the examination, but not to exceed \$250 as set by department rule.

(b) Submitted to background screening in accordance with s. 456.0135.

~~(c)(b)~~ Submitted satisfactory proof to the department that the applicant:

1. Has received a doctorate, specialist, or equivalent degree from a program primarily psychological in nature and has completed 60 semester hours or 90 quarter hours of graduate study, in areas related to school psychology as defined by rule of the department, from a college or university which at the time the applicant was enrolled and graduated was accredited by an accrediting agency recognized and approved by the Council for Higher Education Accreditation or its successor organization or from an institution that is a member in good standing with the Association of Universities and Colleges of Canada.

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

3. Has passed an examination provided by the department.

Section 35. Present paragraphs (b) and (c) of subsection (1) of section 490.0051, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, and a new paragraph (b) is added to that subsection, to read:

490.0051 Provisional licensure; requirements.—

(1) The department shall issue a provisional psychology license to each applicant whom the board certifies has met all of the following criteria:

(b) Submitted to background screening in accordance with s. 456.0135.

Section 36. Subsection (1) of section 490.006, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

490.006 Licensure by endorsement.—

(1) The department shall license a person as a psychologist or school psychologist who, upon applying to the department, submitting to background screening in accordance with s. 456.0135, and remitting the appropriate fee, demonstrates to the department or, in the case of psychologists, to the board that the applicant meets the requirements for licensure by endorsement under s. 456.0145.

Section 37. Subsections (1), (2), (4), and (6) of section 491.0045, Florida Statutes, are amended to read:

491.0045 Intern registration; requirements.—

(1) An individual who has not satisfied the postgraduate or post-master's level experience requirements, as specified in s. 491.005(1)(d), (3)(d), or (4)(d) ~~s. 491.005(1)(e), (3)(e), or (4)(e)~~, must register as an intern in the profession for which he or she is seeking licensure before commencing the post-master's experience requirement or an individual who intends to satisfy part of the required graduate-level practicum, internship, or field experience, outside the academic arena for any profession, and must register as an intern in the profession for which he or she is seeking licensure before commencing the practicum, internship, or field experience.

(2) The department shall register as a clinical social worker intern, marriage and family therapist intern, or mental health counselor intern each applicant who the board certifies has met all of the following criteria:

(a) Completed the application form and remitted a nonrefundable application fee not to exceed \$200, as set by board rule.;

(b) Submitted to background screening in accordance with s. 456.0135.

~~(c)(b)~~1. Completed the education requirements as specified in s. 491.005(1)(d), (3)(d), or (4)(d) ~~s. 491.005(1)(e), (3)(e), or (4)(e)~~ for the profession for which he or she is applying for licensure, if needed; and

2. Submitted an acceptable supervision plan, as determined by the board, for meeting the practicum, internship, or field work required for licensure that was not satisfied in his or her graduate program.

~~(d)~~(e) Identified a qualified supervisor.

(4) An individual who fails to comply with this section may not be granted a license under this chapter, and any time spent by the individual completing the experience requirement as specified in s. 491.005(1)(d), (3)(d), or (4)(d) ~~s. 491.005(1)(e), (3)(e), or (4)(e)~~ before registering as an intern does not count toward completion of the requirement.

(6) Any registration issued after March 31, 2017, expires 60 months after the date it is issued. The board may make a one-time exception to the requirements of this subsection in emergency or hardship cases, as defined by board rule, if the candidate has passed the theory and practice examination described in s. 491.005(1)(e), (3)(e), and (4)(e) ~~s. 491.005(1)(d), (3)(d), and (4)(d)~~.

Section 38. Subsection (2) of section 491.0046, Florida Statutes, is amended to read:

491.0046 Provisional license; requirements.—

(2) The department shall issue a provisional clinical social worker license, provisional marriage and family therapist license, or provisional mental health counselor license to each applicant who the board certifies has met all of the following criteria:

(a) Completed the application form and remitted a nonrefundable application fee not to exceed \$100, as set by board rule;~~;~~ and

(b) Submitted to background screening in accordance with s. 456.0135.

~~(c)(b)~~ Earned a graduate degree in social work, a graduate degree with a major emphasis in marriage and family therapy or a closely related field, or a graduate degree in a major related to the practice of mental health counseling;~~;~~ and

(d)(e) Met the following minimum coursework requirements:

1. For clinical social work, a minimum of 15 semester hours or 22 quarter hours of the coursework required by s. 491.005(1)(c)2.b. ~~s. 491.005(1)(b)2.b.~~

2. For marriage and family therapy, 10 of the courses required by s. 491.005(3)(c) ~~s. 491.005(3)(b)~~, as determined by the board, and at least 6 semester hours or 9 quarter hours of the course credits must have been completed in the area of marriage and family systems, theories, or techniques.

3. For mental health counseling, a minimum of seven of the courses required under s. 491.005(4)(c)1.a., b., or c. ~~s. 491.005(4)(b)1.a.-e.~~

Section 39. Subsections (1) through (4) of section 491.005, Florida Statutes, are amended to read:

491.005 Licensure by examination.—

(1) CLINICAL SOCIAL WORK.—Upon verification of documentation and payment of a fee not to exceed \$200, as set by board rule, the department shall issue a license as a clinical social worker to an applicant whom the board certifies has met all of the following criteria:

(a) Submitted an application and paid the appropriate fee.

(b) Submitted to background screening in accordance with s. 456.0135.

~~(c)(b)~~1. Received a doctoral degree in social work from a graduate school of social work which at the time the applicant graduated was accredited by an accrediting agency recognized by the United States Department of Education or received a master’s degree in social work from a graduate school of social work which at the time the applicant graduated:

a. Was accredited by the Council on Social Work Education;

b. Was accredited by the Canadian Association for Social Work Education; or

c. Has been determined to have been a program equivalent to programs approved by the Council on Social Work Education by the Foreign Equivalency Determination Service of the Council on Social Work

Education. An applicant who graduated from a program at a university or college outside of the United States or Canada must present documentation of the equivalency determination from the council in order to qualify.

2. The applicant's graduate program emphasized direct clinical patient or client health care services, including, but not limited to, coursework in clinical social work, psychiatric social work, medical social work, social casework, psychotherapy, or group therapy. The applicant's graduate program must have included all of the following coursework:

a. A supervised field placement which was part of the applicant's advanced concentration in direct practice, during which the applicant provided clinical services directly to clients.

b. Completion of 24 semester hours or 32 quarter hours in theory of human behavior and practice methods as courses in clinically oriented services, including a minimum of one course in psychopathology, and no more than one course in research, taken in a school of social work accredited or approved pursuant to subparagraph 1.

3. If the course title which appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant provided additional documentation, including, but not limited to, a syllabus or catalog description published for the course.

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

~~(e)~~(d) Passed a theory and practice examination designated by board rule.

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

(2) CLINICAL SOCIAL WORK.—

(a) Notwithstanding the provisions of paragraph ~~(1)(c)~~ ~~(1)(b)~~, coursework which was taken at a baccalaureate level shall not be considered toward completion of education requirements for licensure unless an official of the graduate program certifies in writing on the graduate school's stationery that a specific course, which students enrolled in the same graduate program were ordinarily required to complete at the graduate level, was waived or exempted based on completion of a similar course at the baccalaureate level. If this condition is met, the board shall apply the baccalaureate course named toward the education requirements.

(b) An applicant from a master's or doctoral program in social work which did not emphasize direct patient or client services may complete the clinical curriculum content requirement by returning to a graduate program accredited by the Council on Social Work Education or the Canadian Association of Schools of Social Work, or to a clinical social work graduate program with comparable standards, in order to complete the education requirements for examination. However, a maximum of 6 semester or 9 quarter hours of the clinical curriculum content requirement may be completed by credit awarded for independent study coursework as defined by board rule.

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

(a) Submitted an application and paid the appropriate fee.

(b) Submitted to background screening in accordance with s. 456.0135.

(c)1. Attained one of the following:

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

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

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

2. If the course title that appears on the applicant's transcript does not clearly identify the content of the coursework, the applicant provided additional documentation, including, but not limited to, a syllabus or catalog description published for the course. The required master's degree must have been received in an institution of higher education that, at the

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

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

(e)(d) Passed a theory and practice examination designated by board rule.

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

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

(4) MENTAL HEALTH COUNSELING.—Upon verification of documentation and payment of a fee not to exceed \$200, as set by board rule, the department shall issue a license as a mental health counselor to an applicant whom the board certifies has met all of the following criteria:

(a) Submitted an application and paid the appropriate fee.

(b) Submitted to background screening in accordance with s. 456.0135.

~~(c)~~(b)1. Attained a minimum of an earned master's degree from a mental health counseling program accredited by the Council for the Accreditation of Counseling and Related Educational Programs which consists of at least 60 semester hours or 80 quarter hours of clinical and didactic instruction, including a course in human sexuality and a course in substance abuse. If the master's degree is earned from a program related to the practice of mental health counseling which is not accredited by the Council for the Accreditation of Counseling and Related Educational Programs, then the coursework and practicum, internship, or fieldwork must consist of at least 60 semester hours or 80 quarter hours and meet all of the following requirements:

a. Thirty-three semester hours or 44 quarter hours of graduate coursework, which must include a minimum of 3 semester hours or 4 quarter hours of graduate-level coursework in each of the following 11 content areas: counseling theories and practice; human growth and development; diagnosis and treatment of psychopathology; human sexuality; group theories and practice; individual evaluation and assessment; career and lifestyle assessment; research and program evaluation; social and cultural foundations; substance abuse; and legal, ethical, and professional standards issues in the practice of mental health counseling. Courses in research, thesis or dissertation work, practicums, internships, or fieldwork may not be applied toward this requirement.

b. A minimum of 3 semester hours or 4 quarter hours of graduate-level coursework addressing diagnostic processes, including differential diagnosis and the use of the current diagnostic tools, such as the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders. The graduate program must have emphasized the common core curricular experience.

c. The equivalent, as determined by the board, of at least 700 hours of university-sponsored supervised clinical practicum, internship, or field experience that includes at least 280 hours of direct client services, as required in the accrediting standards of the Council for Accreditation of Counseling and Related Educational Programs for mental health counseling programs. This experience may not be used to satisfy the post-master's clinical experience requirement.

2. Provided additional documentation if a course title that appears on the applicant's transcript does not clearly identify the content of the coursework. The documentation must include, but is not limited to, a syllabus or catalog description published for the course.

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

(d)(e) Completed at least 2 years of clinical experience in mental health counseling, which must be at the post-master's level under the supervision of a licensed mental health counselor or the equivalent who is a qualified supervisor as determined by the board. An individual who intends to practice in Florida to satisfy the clinical experience requirements must register pursuant to s. 491.0045 before commencing practice. If a graduate has a master's degree with a major related to the practice of mental health counseling which did not include all the coursework required under sub-subparagraphs (c)1.a and b. ~~(b)1.a. and b.~~, credit for the post-master's level clinical experience may not commence until the applicant has completed a

minimum of seven of the courses required under sub-subparagraphs (c)1.a and b. ~~(b)1.a. and b.~~, as determined by the board, one of which must be a course in psychopathology or abnormal psychology. A doctoral internship may be applied toward the clinical experience requirement. A licensed mental health professional must be on the premises when clinical services are provided by a registered intern in a private practice setting.

~~(e)(d)~~ Passed a theory and practice examination designated by board rule.

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

Section 40. Subsection (1) of section 491.006, Florida Statutes, as amended by SB 1600, 2024 Regular Session, is amended to read:

491.006 Licensure or certification by endorsement.—

(1) The department shall license or grant a certificate to a person in a profession regulated by this chapter who, upon applying to the department, submitting to background screening in accordance with s. 456.0135, and remitting the appropriate fee, demonstrates to the board that he or she meets the requirements for licensure by endorsement under s. 456.0145.

Section 41. Paragraphs (d), (f), and (i) of subsection (1) of section 468.505, Florida Statutes, are amended to read:

468.505 Exemptions; exceptions.—

(1) Nothing in this part may be construed as prohibiting or restricting the practice, services, or activities of:

(d) A person pursuing a course of study leading to a degree in dietetics and nutrition from a program or school accredited pursuant to s. 468.509(3) ~~s. 468.509(2)~~, if the activities and services constitute a part of a supervised course of study and if the person is designated by a title that clearly indicates the person's status as a student or trainee.

(f) Any dietitian or nutritionist from another state practicing dietetics or nutrition incidental to a course of study when taking or giving a postgraduate course or other course of study in this state, provided such dietitian or nutritionist is licensed in another jurisdiction or is a registered dietitian or holds an appointment on the faculty of a school accredited pursuant to s. 468.509(3) ~~s. 468.509(2)~~.

(i) An educator who is in the employ of a nonprofit organization approved by the council; a federal, state, county, or municipal agency, or other political subdivision; an elementary or secondary school; or an accredited institution of higher education the definition of which, as provided in s. 468.509(3) ~~s.~~

468.509(2), applies to other sections of this part, insofar as the activities and services of the educator are part of such employment.

Section 42. Subsections (15), (16), and (17) of section 491.003, Florida Statutes, are amended to read:

491.003 Definitions.—As used in this chapter:

(15) “Registered clinical social worker intern” means a person registered under this chapter who is completing the postgraduate clinical social work experience requirement specified in s. 491.005(1)(d) ~~s. 491.005(1)(e)~~.

(16) “Registered marriage and family therapist intern” means a person registered under this chapter who is completing the post-master’s clinical experience requirement specified in s. 491.005(3)(d) ~~s. 491.005(3)(e)~~.

(17) “Registered mental health counselor intern” means a person registered under this chapter who is completing the post-master’s clinical experience requirement specified in s. 491.005(4)(d) ~~s. 491.005(4)(e)~~.

Section 43. Effective July 1, 2024, for the 2024-2025 fiscal year, the sum of \$250,000 in nonrecurring funds from the Medical Quality Assurance Trust Fund is appropriated to the Department of Health to implement the provisions of this act.

Section 44. Except as otherwise expressly provided in this act and except for this section, which shall take effect July 1, 2024, this act shall take effect July 1, 2025.

Approved by the Governor June 14, 2024.

Filed in Office Secretary of State June 14, 2024.