
HOUSE SUMMARY

Generally relates to the regulation of professions with respect to the Department of Professional Regulation and specified professions:

1. **DEPARTMENT OF PROFESSIONAL REGULATION--** Renames the Division of Administrative Services as the Division of Examination and Licensure. Authorizes initial license fees of up to \$200 for all professions. Changes complaint procedures by the department and probable cause panels. Exempts probable cause panel proceedings from certain notice requirements. Requires the department to conduct certain peer review of licensed chiropractors and provides procedures therefor. Provides for the creation of vacancies on professional boards. Authorizes the appropriate board to discipline licensees who fail to comply with certain rules of the Department of Health and Rehabilitative Services in the use of certain laser devices.
2. **PILOTS--**Restricts the members of the Board of Pilot Commissioners who may make rate-making decisions. Authorizes a procedure for verifying the amount of pilotage at each port.
3. **PHYSICIANS--**Authorizes the Board of Medical Examiners, rather than the department, to waive certain educational requirements for licensure. Provides an exception to the requirement that physicians report other physicians in violation of regulatory laws or rules. Creates the Impaired Professionals Advisory Committee and specifies its duties. Provides for the use of consultants to review impaired professionals and provides for confidentiality of certain information. Provides for reports of impairment. Requires notification of the board when a physician is disciplined by an ambulatory surgical center or a nursing home or its medical staff. Increases the administrative fine which may be imposed by the Board of Medical Examiners.
4. **OSTEOPATHIC PHYSICIANS--**Authorizes the issuance of osteopathic faculty certificates. Authorizes the department to compel such physicians to submit to physical or mental examinations under certain circumstances and restricts the use of related information. Expands provisions requiring the release of certain medical reports during an investigation.
5. **CHIROPRACTIC--**Requires the keeping of x-rays as part of chiropractic records.
6. **PODIATRY--**Requires podiatrists to disclose to the department whether they accept Medicare assignment reimbursements and provides for publication of a listing of podiatrists who do.
7. **NATUROPATHY--**Substantially revises the grounds for disciplinary action against naturopathic physicians to conform to those for physicians. Authorizes the department to obtain patient records of naturopathic physicians under certain circumstances. Increases the license renewal fee.
8. **OPTOMETRY--**Requires corporations or organizations which employ optometrists to be licensed as optometric service plan corporations rather than as hospital and medical services plans.
9. **NURSING—**Authorizes the department to compel nurses to submit to mental or physical examinations under certain circumstances and restricts the use of related information. Provides an exception to the requirement that nurses report other nurses in violation of regulatory laws or rules. Provides for the use of the Impaired Professionals Advisory Committee consultants with respect to impaired nurses.
10. **PHARMACY--**Includes radiopharmacies and special pharmacies as types of pharmacies regulated by the state and provides for the

issuance of permits to such pharmacies. Provides for the issuance of consultant pharmacist licenses. Provides for the discipline of pharmacists violating the Federal Drug Abuse Act. Provides additional disciplinary action which may be taken by the department or Board of Pharmacy against pharmacy permittees.

11. NURSING HOME ADMINISTRATION--Provides a 4-year statute of limitations upon certain grounds for disciplinary action against nursing home administrators. Limits to national examinations the presumption of sufficiency for purposes of licensure of administrators by endorsement. Reduces and changes the membership of the Board of Nursing Home Administrators.

12. ACUPUNCTURE--Redefines acupuncture. Creates a 5-member Board of Acupuncture and authorizes the board to adopt rules. Changes the qualifications for certification to practice acupuncture. Entitles certain persons trained in the Orient to certification without examination. Authorizes the board to prescribe continuing education requirements and removes the cap on certification fees. Authorizes certain persons to retake portions of the examination.

13. ENGINEERING--Prohibits persons not registered as engineers from holding themselves out to the public as being registered. Changes the types of projects on which certain contractors may work without being licensed as an engineer.

14. LAND SURVEYING--Renames the regulatory board for land surveying as the Board of Professional Land Surveyors. Changes examination prerequisites for applicants for licensure as land surveyors. Expands the grounds for disciplinary action.

15. ACCOUNTANCY--Increases the membership of the Board of Accountancy from 7 to 9. Revises provisions relating to inactive status of accountants' licenses and provides a 4-year limitation upon such status. Provides exceptions.

16. VETERINARY MEDICINE--Prohibits unlicensed persons from vaccinating animals for certain communicable diseases. Authorizes unlicensed veterinarians to practice under the supervision of a licensed veterinarian while awaiting licensure examination results. Repeals current provisions relating to temporary permits to practice veterinary medicine.

17. REAL ESTATE--Authorizes the Real Estate Commission to refund application and license fees under certain circumstances. Prohibits the licensure of persons who have unlawfully acted or attempted to act as real estate brokers or salesmen in the state within 1 year of applying for licensure. Requires educational institutions and real estate schools to notify the Real Estate Commission of persons satisfactorily completing certain educational requirements. Provides for the expiration of certain applications. Requires recertification of applicants who do not request initial licensure. Requires branch offices to be managed by an on-site broker or broker-salesman. Expands the applicability of grounds for disciplinary action to permittees as well as licensees and changes certain grounds. Requires operators, chief administrators and instructors at real estate schools to meet real estate broker or salesman licensure requirements. Changes certain exemptions for such persons. Provides an exception to notice requirements of claims against the Real Estate Recovery Fund. Increases limits of amounts which may be paid from the Real Estate Recovery Fund for certain judgments and claims.

18. BARBERING--Requires the licensure of barbering instructors and provides qualifications therefor. Deletes provisions relating to the renewal of license of retired barbers. Restricts the practice of barbers' assistants. Requires the display of barber shop registration certificates and barbers' licenses. Requires barber services to be provided in registered barber shops and provides exceptions.

19. COSMETOLOGY.--Exempts certain persons from provisions regulating cosmetology, including physicians, surgeons, podiatrists, nurses, barbers, and certain publicly employed cosmetologists. Authorizes the Board of Cosmetology to impose continuing education requirements upon cosmetologists. Authorizes a variety of licensure examinations. Prohibits unlicensed practice and certain other acts and provides a penalty. Provides for the discipline of continuing education providers. Prohibits violations of regulatory provisions. Provides additional disciplinary actions for violations. Requires cosmetology services to be provided in licensed salons and provides exceptions.

20. MASSAGE--Clarifies the definition of massage and clarifies license renewal requirements. Clarifies disciplinary action provisions. Deletes provisions for the regulation of financial responsibility and insurance coverage of massage establishments.

21. ARCHITECTURE--Increases licensure and examination fees.

22. LANDSCAPE ARCHITECTURE--Provides examination requirements for licensure. Increases initial licensure and examination fees.

23. OPTICIANS--Changes licensure requirements.

24. PHYSICAL THERAPY--Provides additional disciplinary action for certain violations by physical therapists.

25. CONSTRUCTION CONTRACTING--Restricts the effect of certification by the department. Requires cities and counties to require contractors seeking building permits to verify state licensure. Changes a ground for disciplinary action.

26. ELECTRICAL CONTRACTING--Increases licensure and examination fees. Adds a ground for disciplinary action.

27. PSYCHOLOGICAL SERVICES--Changes the qualifications for licensure as a psychologist. Changes licensure requirements for clinical social workers, marriage and family therapists, mental health counselors, and school psychologists. Changes the exemption from licensure as psychologists for certain employees of educational institutions.

28. INACTIVE STATUS OF LICENSES GENERALLY--With respect to regulation of medical practitioners, osteopathic physicians, chiropractic physicians, podiatrists, optometrists, dentists and dental hygienists, nursing home administrators, funeral directors and embalmers, engineers, land surveyors, veterinarians, real estate brokers and salesmen, barbers, cosmetologists and cosmetology instructors, masseurs, architects, landscape architects, opticians, and psychologists, clinical social workers, marriage and family therapists, mental health counselors, and school psychologists, modifies provisions relating to placement of a license in an inactive status in order to provide for relative uniformity throughout the aforementioned professions. Pursuant thereto, requires licensees to apply to the Department of Professional Regulation for inactive status and authorizes the department or other regulatory agency to prescribe a fee therefor and a fee for renewal of inactive status. Limits the period of inactive status to 4 years, and provides that, unless such status is renewed or the license is reactivated within said period, the license shall automatically expire. Modifies continuing education requirements. Grandfathers in all licensees whose licenses are inactive on the effective date of the act by providing that such licensees may retain such status for 4 years from said date (regardless of how long said licensees may have been inactive prior thereto), whereupon said licenses shall expire if no further action has been taken by the licensees to renew or reactivate.

In addition to such changes, the bill:

1. Requires the Department of Professional Regulation to study procedures used to qualify foreign-speaking Florida residents to practice professions and the need for the regulation of legal and court interpreters.

2. Provides that any person who uses certain laser devices or products without complying with certain rules of the Department of Health and Rehabilitative Services is guilty of a second degree misdemeanor.

3. Changes provisions in the Administrative Procedures Act relating to the disqualification of agency personnel in agency proceedings. Provides that a disqualified person need not be replaced if a quorum remains and requires the Administration Commission to adopt rules.

