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# **Health & Human Services Quality Subcommittee**

**Tuesday, January 17, 2012  
8:00 AM – 10:30 AM  
306 HOB**

**Action Packet**

**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**  
**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**Summary:**

**Health & Human Services Quality Subcommittee**

*Tuesday January 17, 2012 08:00 am*

HB 227	Favorable With Committee Substitute	Yeas: 11	Nays: 0
	Amendment 482701 Adopted Without Objection		
HB 653	Favorable With Committee Substitute	Yeas: 13	Nays: 0
	Amendment 697961 Adopted Without Objection		
HB 799	Favorable With Committee Substitute	Yeas: 14	Nays: 0
	Amendment 893545 Adopted Without Objection		
HB 1143	Favorable With Committee Substitute	Yeas: 11	Nays: 2
	Amendment 315583 Adopted Without Objection		
HB 4163	Favorable	Yeas: 14	Nays: 0

Committee meeting was reported out: Tuesday, January 17, 2012 12:24:49PM

**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**

**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
John Wood (Chair)	X		
Larry Ahern	X		
Jim Boyd	X		
Clay Ford	X		
Eduardo Gonzalez	X		
Matt Hudson	X		
Mia Jones	X		
Jeanette Nuñez	X		
Jose Oliva	X		
Ari Porth	X		
Scott Randolph	X		
Betty Reed	X		
Ronald Renuart	X		
Patrick Rooney, Jr.	X		
Elaine Schwartz	X		
<b>Totals:</b>	<b>15</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Tuesday, January 17, 2012 12:24:49PM

**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**

**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**HB 227 : Prescription Drug Abuse**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones			X		
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph			X		
Betty Reed			X		
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz			X		
John Wood (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 0</b>			

**HB 227 Amendments**

**Amendment 482701**

*Adopted Without Objection*

**Appearances:**

Case, Kimberly (Lobbyist) (State Employee) - Proponent  
 Office of the Attorney General  
 PL-01 The Capitol  
 Tallahassee FL 32399-1050  
 Phone: (850) 245-0155

Winn, Stephen (Lobbyist) - Waive In Support  
 Florida Osteopathic Medical Association  
 2007 Apalachee Pky  
 Tallahassee FL 32301  
 Phone: (850) 878-7364

Pitts, Brian - Waive In Support  
 Justice-2-Jesus  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: (727) 897-9291

Committee meeting was reported out: Tuesday, January 17, 2012 12:24:49PM

**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**

**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**HB 227 : Prescription Drug Abuse (continued)**

**Appearances: (continued)**

O'Hara, Rebecca (Lobbyist) - Waive In Support

FL Medical Association

113 College Ave.

Tallahassee FL 32302

Phone: (850) 339-6211

Committee meeting was reported out: Tuesday, January 17, 2012 12:24:49PM

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED       /       (Y/N)  
 ADOPTED W/O OBJECTION   ✓   (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Health & Human Services  
 2 Quality Subcommittee  
 3 Representative Stargel offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

7 Section 1. Statewide Task Force on Prescription Drug Abuse  
8 and Newborns.-

9 (1) The Legislature declares that the purpose of this act  
 10 is to create a task force to examine and analyze the emerging  
 11 problem of neonatal withdrawal syndrome as it pertains to  
 12 prescription drugs.

13 (2) (a) There is created within the Department of Legal  
 14 Affairs the Statewide Task Force on Prescription Drug Abuse and  
 15 Newborns, a task force as defined in s. 20.03, Florida Statutes.  
 16 The task force is created for the express purpose of researching  
 17 the impact of prescription drug use and neonatal withdrawal  
 18 syndrome, evaluating effective strategies for treatment and

Amendment No.

19 prevention, and providing policy recommendations to the  
20 Legislature.

21 (b) The task force shall consist of the following members,  
22 or his or her designee:

23 1. The Attorney General who shall serve as chair.

24 2. The Surgeon General who shall serve as vice chair.

25 3. The Secretary of Children and Family Services.

26 4. The Secretary of Health Care Administration.

27 5. The executive director of the Department of Law

28 Enforcement.

29 6. A legislator appointed by the President of the Senate.

30 7. A legislator appointed by the Speaker of the House of  
31 Representatives.

32 8. A representative from the Florida Medical Association.

33 9. A representative from the Florida Hospital Association.

34 10. A representative, appointed by the Attorney General,  
35 from an addiction and recovery association.

36 11. A representative from the Florida Osteopathic Medical  
37 Association.

38 12. A representative from the March of Dimes.

39 13. A representative of Healthy Start.

40 14. A resident of this state appointed by the Attorney  
41 General.

42 (c) Members of the task force are entitled to receive  
43 reimbursement for per diem and travel expenses pursuant to s.  
44 112.061, Florida Statutes.

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45 (d) The Department of Legal Affairs shall provide the task  
46 force with staff necessary to assist the task force in the  
47 performance of its duties.

48 (3) The task force shall hold its organizational session  
49 by May 1, 2012. Thereafter, the task force shall meet at least  
50 four times per year. Additional meetings may be held if the  
51 chair determines that extraordinary circumstances require an  
52 additional meeting. A majority of the members of the task force  
53 constitutes a quorum.

54 (4) The task force shall:

55 (a) Collect and organize data concerning the nature and  
56 extent of neonatal withdrawal syndrome from prescription drugs  
57 in this state;

58 (b) Collect and organize data concerning the costs  
59 associated with treating expectant mothers and newborns  
60 suffering from withdrawal from prescription drugs;

61 (c) Identify available federal, state, and local programs  
62 that provide services to mothers who abuse prescription drugs  
63 and newborns who have neonatal withdrawal syndrome; and

64 (d) Evaluate methods to increase public awareness of the  
65 dangers associated with prescription drug abuse, particularly to  
66 women, expectant mothers, and newborns.

67 (5) The task force shall submit an interim report of its  
68 recommendations to the President of the Senate and the Speaker  
69 of the House of Representatives by January 15, 2013, and a final  
70 report of its recommendations by January 15, 2015.

71 Section 2. This act shall take effect upon becoming a law.  
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Amendment No.

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**T I T L E   A M E N D M E N T**

Remove the entire title and insert:

A bill to be entitled

An act relating to prescription drug abuse; creating the Statewide Task Force on Prescription Drug Abuse and Newborns; providing a purpose; providing membership of the task force; providing for reimbursement of per diem and travel expenses for members of the task force; requiring that the Department of Legal Affairs provide the task force with necessary staff; specifying a date for the task force's organizational session; providing meeting times; providing the duties of the task force; requiring that the task force submit reports to the Legislature; providing an effective date.

**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**

**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**HB 653 : Health Care Fraud**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph			X		
Betty Reed			X		
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 0</b>			

**HB 653 Amendments**

**Amendment 697961**

*Adopted Without Objection*

**Appearances:**

Rigsby, Peggy (Lobbyist) - Waive In Support  
 Florida Health Care Association  
 307 W Park Ave  
 Tallahassee FL 32301  
 Phone: (850) 224-3907

Snow, Alisa (Lobbyist) - Proponent  
 FL Nurses Association  
 1030 E. Lafayette St., Ste. 2  
 Tallahassee FL 32301  
 Phone: (850) 443-1319

Edenfield, Martha (Lobbyist) - Waive In Support  
 The FL Physical Therapy Association  
 P. O. Box 10095  
 Tallahassee FL 32302  
 Phone: (850) 222-3533

Committee meeting was reported out: Tuesday, January 17, 2012 12:24:49PM

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Health & Human Services  
 2 Quality Subcommittee  
 3 Representative Cruz offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Section 456.0635, Florida Statutes, is amended to  
 8 read:

9 456.0635 Health care Medicaid fraud; disqualification for  
 10 license, certificate, or registration.—

11 (1) Health care Medicaid fraud in the practice of a health  
 12 care profession is prohibited.

13 (2) Each board within the jurisdiction of the department,  
 14 or the department if there is no board, shall refuse to admit a  
 15 candidate to any examination and refuse to issue ~~or renew~~ a  
 16 license, certificate, or registration to any applicant if the  
 17 candidate or applicant or any principal, officer, agent,  
 18 managing employee, or affiliated person of the applicant, ~~has~~  
 19 ~~been:~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 653 (2012)

Amendment No.

20 (a) Has been convicted of, or entered a plea of guilty or  
21 nolo contendere to, regardless of adjudication, a felony under  
22 chapter 409, chapter 817, or chapter 893, or a similar felony  
23 offense committed in another state or jurisdiction, unless the  
24 candidate or applicant has successfully completed a drug court  
25 program for that felony and provides proof that the plea has  
26 been withdrawn or the charges have been dismissed. Any such  
27 conviction or plea shall exclude the applicant or candidate from  
28 licensure, examination, certification, or registration 21 U.S.C.  
29 ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the sentence and  
30 any subsequent period of probation for such conviction or plea  
31 pleas ended: more than 15 years prior to the date of the  
32 application;

33 1. For felonies of the first or second degree, more than  
34 15 years before the date of application.

35 2. For felonies of the third degree, more than 10 years  
36 before the date of application, except for felonies of the third  
37 degree under s. 893.13(6)(a).

38 3. For felonies of the third degree under s. 893.13(6)(a),  
39 more than 5 years before the date of application;

40 (b) Has been convicted of, or entered a plea of guilty or  
41 nolo contendere to, regardless of adjudication, a felony under  
42 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396, unless the  
43 sentence and any subsequent period of probation for such  
44 conviction or plea ended more than 15 years before the date of  
45 the application;

46 (c) ~~(b)~~ Has been terminated for cause from the Florida  
47 Medicaid program pursuant to s. 409.913, unless the candidate or  
697961 - h653-strike.docx

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Amendment No.

48 applicant has been in good standing with the Florida Medicaid  
49 program for the most recent 5 years;

50 (d)(e) Has been terminated for cause, pursuant to the  
51 appeals procedures established by the state or Federal  
52 Government, from any other state Medicaid program or the federal  
53 Medicare program, unless the candidate or applicant has been in  
54 good standing with a state Medicaid program or the federal  
55 Medicare program for the most recent 5 years and the termination  
56 occurred at least 20 years before prior to the date of the  
57 application; or-

58 (e) Is currently listed on the United States Department of  
59 Health and Human Services Office of Inspector General's List of  
60 Excluded Individuals and Entities.

61

62 This subsection does not apply to candidates or applicants for  
63 initial licensure or certification who were enrolled in an  
64 educational or training program on or before July 1, 2009, which  
65 was recognized by a board or, if there is no board, recognized  
66 by the department, and who applied for licensure after July 1,  
67 2012.

68 (3) The department shall refuse to renew a license,  
69 certificate, or registration of any applicant if the applicant  
70 or any principal, officer, agent, managing employee, or  
71 affiliated person of the applicant:

72 (a) Has been convicted of, or entered a plea of guilty or  
73 nolo contendere to, regardless of adjudication, a felony under  
74 chapter 409, chapter 817, or chapter 893, or a similar felony  
75 offense committed in another state or jurisdiction, unless the

Amendment No.

76 applicant is currently enrolled in a drug court program that  
77 allows the withdrawal of the plea for that felony upon  
78 successful completion of that program. Any such conviction or  
79 plea excludes the applicant or candidate from licensure,  
80 examination, certification, or registration unless the sentence  
81 and any subsequent period of probation for such conviction or  
82 plea ended:

83 1. For felonies of the first or second degree, more than  
84 15 years before the date of application.

85 2. For felonies of the third degree, more than 10 years  
86 before the date of application, except for felonies of the third  
87 degree under s. 893.13(6)(a).

88 3. For felonies of the third degree under s. 893.13(6)(a),  
89 more than 5 years before the date of application.

90 (b) Has been convicted of, or entered a plea of guilty or  
91 nolo contendere to, regardless of adjudication, a felony under  
92 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396 since July 1,  
93 2009, unless the sentence and any subsequent period of probation  
94 for such conviction or plea ended more than 15 years before the  
95 date of the application.

96 (c) Has been terminated for cause from the Florida  
97 Medicaid program pursuant to s. 409.913, unless the applicant  
98 has been in good standing with the Florida Medicaid program for  
99 the most recent 5 years.

100 (d) Has been terminated for cause, pursuant to the appeals  
101 procedures established by the state, from any other state  
102 Medicaid program, unless the applicant has been in good standing  
103 with a state Medicaid program for the most recent 5 years and

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Published On: 1/13/2012 5:49:54 PM

Amendment No.

104 the termination occurred at least 20 years before the date of  
105 the application.

106 (e) Is currently listed on the United States Department of  
107 Health and Human Services Office of Inspector General's List of  
108 Excluded Individuals and Entities.

109 (4)-(3) Licensed health care practitioners shall report  
110 allegations of health care Medicaid fraud to the department,  
111 regardless of the practice setting in which the alleged health  
112 care Medicaid fraud occurred.

113 (5)-(4) The acceptance by a licensing authority of a  
114 licensee's candidate's relinquishment of a license which is  
115 offered in response to or anticipation of the filing of  
116 administrative charges alleging health care Medicaid fraud or  
117 similar charges constitutes the permanent revocation of the  
118 license.

119 Section 2. Present subsections (14) and (15) of section  
120 456.036, Florida Statutes, are renumbered as subsections (15)  
121 and (16), respectively, and a new subsection (14) is added to  
122 that section, to read:

123 456.036 Licenses; active and inactive status;  
124 delinquency.—

125 (14) A person who has been denied renewal of licensure,  
126 certification, or registration under s. 456.0635(3) may regain  
127 licensure, certification, or registration only by meeting the  
128 qualifications and completing the application process for  
129 initial licensure as defined by the board, or the department if  
130 there is no board. However, a person who was denied renewal of  
131 licensure, certification, or registration under s. 24 of chapter

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132 2009-223, Laws of Florida, between July 1, 2009, and June 30,  
133 2012, is not required to retake and pass examinations applicable  
134 for initial licensure, certification, or registration.

135 Section 3. This act shall take effect July 1, 2012.

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**T I T L E A M E N D M E N T**

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Remove the entire title and insert:

141

A bill to be entitled

142

An act relating to health care fraud; amending s. 456.0635,

143

F.S.; revising the grounds under which the Department of Health

144

or corresponding board is required to refuse to admit a

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candidate to an examination and refuse to issue or renew a

146

license, certificate, or registration of a health care

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practitioner; providing an exception; amending s. 456.036, F.S.;

148

providing that all persons who were denied renewal of licensure,

149

certification, or registration under s. 456.0635(3), F.S., may

150

regain licensure, certification, or registration only by

151

completing the application process for initial licensure;

152

providing an exception; providing an effective date.



**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**

**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**HB 799 : Physical Therapy**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph	X				
Betty Reed			X		
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**HB 799 Amendments**

**Amendment 893545**

*Adopted Without Objection*

**Appearances:**

Musulino, Gina Maria (State Employee) - Proponent  
 FPTA BOD PT/PTA Students  
 3315 Chapel Creek Circle  
 Wesley Chapel FL 33544  
 Phone: (801) 259-7007

Adams, Howard (Lobbyist) - Waive In Support  
 Florida Physical Therapy Association  
 215 S. Monroe St.  
 Tallahassee FL 32301  
 Phone: (850) 222-3533

Pearler, Leighton - Proponent  
 FL Physical Therapy Association Student Population  
 153 Kings Quarry Lane  
 St. Augustine FL 32080  
 Phone: (217) 474-5225

Committee meeting was reported out: Tuesday, January 17, 2012 12:24:49PM

**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**

**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**HB 799 : Physical Therapy (continued)**

**Appearances: (continued)**

Pitts, Brian - Opponent

Justice-2-Jesus

1119 Newton Ave. S.

St. Petersburg FL 33705

Phone: (727) 897-9291

Beane, Jr., Raymond A. - Proponent

13145 152nd Road, N.

Jupiter FL 33478

Phone: (561) 762-0077

Jacobs, Kenneth - Proponent

FL Physical Therapy Association

3076 Bell Grove Road

Tallahassee FL 32308

Phone: (850) 284-5304

Committee meeting was reported out: Tuesday, January 17, 2012 12:24:49PM

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Health & Human Services  
 2 Quality Subcommittee  
 3 Representative Goodson offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

7 Section 1. Section 486.0715, Florida Statutes, is created  
8 to read:

9 486.0715 Physical therapist; issuance of temporary  
10 permit.-

11 (1) The board shall issue a temporary physical therapist  
12 permit if the applicant meets the following requirements:

13 (a) Graduates from a physical therapy program in the  
14 United States recognized by the Commission on Accreditation in  
15 Physical Therapy Education.

16 (b) Completes an application for a temporary permit on a  
17 form approved by the department.

Amendment No.

18 (c) Meets all the eligibility requirements for licensure  
19 pursuant to s. 486.031, except passage of the National Physical  
20 Therapy Examination.

21 (d) Submits an application for licensure pursuant to s.  
22 486.041.

23 (e) Demonstrates proof of possessing malpractice  
24 insurance.

25 (f) Achieves a passing score on the Florida Jurisprudence  
26 examination administered by the Federation of State Boards of  
27 Physical Therapy.

28 (g) Submits documentation, pursuant to rules adopted by  
29 the board, verifying that the applicant will practice under the  
30 direct supervision of a licensed physical therapist as provided  
31 in subsection (9).

32 (2) A temporary permit is not renewable and is valid until  
33 a license is granted by the board. A temporary permit is void if  
34 a passing score on the National Physical Therapy Examination is  
35 not obtained, or if the permittee does not sit for the National  
36 Physical Therapy Examination within 6 months from the date of  
37 graduation.

38 (3) An applicant for a temporary permit shall not work as  
39 a physical therapist until a temporary permit is issued by the  
40 board. A physical therapist who is practicing under a temporary  
41 permit must do so under the direct supervision of a licensed  
42 physical therapist. A supervising physical therapist shall only  
43 supervise one permittee at any given time. The supervising  
44 physical therapist must be licensed for a minimum of 6 months  
45 before the supervision period begins, and must cosign all

Amendment No.

46 patient records produced by the physical therapist who is  
47 practicing under a temporary permit.

48 Section 2. Section 486.1065, Florida Statutes, is  
49 created to read:

50 486.1065 Physical therapist assistant; issuance of  
51 temporary permit.-

52 (1) The board shall issue a temporary physical therapist  
53 assistant permit if the applicant meets the following  
54 requirements:

55 (a) Graduates from a physical therapy program in the  
56 United States recognized by the Commission on Accreditation in  
57 Physical Therapy Education

58 (b) Completes an application for a temporary permit on a  
59 form approved by the department.

60 (c) Meets all the eligibility requirements for licensure  
61 pursuant to s. 486.031, except passage of the National Physical  
62 Therapy Examination.

63 (d) Submits an application for licensure pursuant to s.  
64 486.041.

65 (e) Demonstrates proof of possessing malpractice  
66 insurance.

67 (f) Achieves a passing score on the Florida Jurisprudence  
68 examination administered by the Federation of State Boards of  
69 Physical Therapy.

70 (g) Submits documentation, pursuant to rules adopted by  
71 the board, verifying that the applicant will practice under the  
72 direct supervision of a licensed physical therapist as provided  
73 in subsection (9).

Amendment No.

74       (2) A temporary permit is not renewable and is valid until  
75 a license is granted by the board. A temporary permit is void if  
76 a passing score on the National Physical Therapy Examination is  
77 not obtained, or if the permittee does not sit for the National  
78 Physical Therapy Examination within 6 months from the date of  
79 graduation.

80       (3) An applicant for a temporary permit shall not work as  
81 a physical therapist assistant until a temporary permit is  
82 issued by the board. A physical therapist assistant who is  
83 practicing under a temporary permit must do so under the direct  
84 supervision of a physical therapist. A supervising physical  
85 therapist shall only supervise one person who holds a temporary  
86 permit at any given time. The supervising physical therapist  
87 must be licensed for a minimum of 6 months before the  
88 supervision period begins, and must cosign all patient records  
89 produced by the physical therapist assistant who is practicing  
90 under a temporary permit.

91       Section 3. This act shall take effect upon becoming a law.

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93

94

**T I T L E   A M E N D M E N T**

95

Remove the entire title and insert:

96

A bill to be entitled

97

An act relating to physical therapy; creating ss.

98

486.0715 and 486.1065, F.S.; authorizing issuance of a

99

temporary permit to practice as a physical therapist

100

or physical therapist assistant; providing

101

requirements for issuing a temporary permit; providing

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 799 (2012)

Amendment No.

102 for voiding of a temporary permit; providing  
103 requirements for the supervision of temporary  
104 permittees; providing an effective date.  
105

**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**

**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**HB 1143 : Health Care Practitioner License Suspension**

*Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson		X			
Mia Jones		X			
Jeanette Nuñez	X				
Jose Oliva			X		
Ari Porth	X				
Scott Randolph	X				
Betty Reed			X		
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
<b>Total Yeas: 11      Total Nays: 2</b>					

**HB 1143 Amendments**

**Amendment 315583**

*Adopted Without Objection*

**Appearances:**

Custin, David (Lobbyist) - Waive In Opposition  
 Florida Medical Association  
 6401 SW 113 PL  
 Miami FL 33173  
 Phone: (305) 607-8576

O'Hara, Rebecca (Lobbyist) - Opponent  
 FL Medical Association  
 113 E. College Ave.  
 Tallahassee FL 32303  
 Phone: (850) 339-6211

Watson, Ronald (Lobbyist) - Proponent  
 Florida Dental Association  
 118 E. Jefferson St.  
 Tallahassee FL 32301  
 Phone: (850) 224-1089

Committee meeting was reported out: Tuesday, January 17, 2012 12:24:49PM



**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**

**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**HB 1143 : Health Care Practitioner License Suspension (continued)**

**Appearances: (continued)**

Cantens, Michael (Lobbyist) (State Employee) - Proponent  
Florida Department of Health  
4052 Bald Cypress Way Bin A01  
Tallahassee FL 32399  
Phone: (850) 245-4531

Alsobrook, Renee (State Employee) - Information Only  
Department of Health  
4052 Bald Cypress Way  
Tallahassee FL 32399  
Phone: (850) 241-3528

Messersmith, Frank (Lobbyist) - Waive In Support  
Florida Sheriffs Association  
PO Box 12519  
Tallahassee FL 32317  
Phone: (850) 576-5858

Winn, Stephen (Lobbyist) - Waive In Opposition  
Florida Osteopathic Medical Association  
2007 Apalachee Pky  
Tallahassee FL 32301  
Phone: (850) 878-7364

Pitts, Brian - Proponent  
Justice-2-Jesus  
1119 Newton Ave. S.  
St. Petersburg FL 33705  
Phone: (727) 897-9291

Committee meeting was reported out: Tuesday, January 17, 2012 12:24:49PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1143 (2012)

Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Health & Human Services  
 2 Quality Subcommittee  
 3 Representative Costello offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Subsection (5) is added to section 456.074,  
 8 Florida Statutes, to read:

9 456.074 Certain health care practitioners; immediate  
 10 suspension or restriction of license.--

11 (5) The department may issue an emergency order  
 12 restricting any licensed health care practitioner as defined by  
 13 ch. 458, ch. 459, ch. 461 and ch. 466, from prescribing  
 14 controlled substances as defined by ch. 893 if the licensee has  
 15 committed any act, is arrested for any act or is under criminal  
 16 investigation or criminal prosecution for any act that is a  
 17 violation of ch. 782, or is arrested for any act or is under  
 18 criminal investigation or criminal prosecution for any act that  
 19 relates to the importation, manufacture, distribution,

Amendment No. 1.

20 possession, transfer, sale, improper use or prescribing of  
21 controlled substances as defined in ch. 893, or is in violation  
22 of any federal law relating to the possession, transfer, sale or  
23 prescribing of controlled substances as defined by ch. 893 or 21  
24 U.S.C ss. 801-970.

25 Section 2. Paragraph (m) is added to subsection (2) of  
26 section 903.046, Florida Statutes, to read:

27 903.046 Purpose of and criteria for bail determination.—

28 (2) When determining whether to release a defendant on  
29 bail or other conditions, and what that bail or those conditions  
30 may be, the court shall consider:

31 (m) Whether the suspension of a license or the restriction  
32 on the ability to practice a licensed profession as defined in  
33 s. 456.001 is necessary to protect the community against  
34 unreasonable danger from the criminal defendant.

35 Section 3. This act shall take effect July 1, 2012.

36  
37  
38 -----  
39 **T I T L E A M E N D M E N T**

40 Remove the entire title and insert:

41 A bill to be entitled  
42 An act relating to health care practitioner license suspension;  
43 amending s. 456.074, F.S.; authorizing the Department of Health  
44 to issue an emergency order to suspend or restrict the license  
45 of a health care practitioner under specified conditions;  
46 amending s. 903.046, F.S.; providing additional criteria that a

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1143 (2012)

Amendment No. 1.

47 court may consider when determining whether to release a  
48 defendant on bail; providing an effective date.

**COMMITTEE MEETING REPORT**  
**Health & Human Services Quality Subcommittee**  
**1/17/2012 8:00:00AM**

**Location:** 306 HOB

**HB 4163 : Continuing Education for Athletic Trainers and Massage Therapists**

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Larry Ahern	X				
Jim Boyd	X				
Clay Ford	X				
Eduardo Gonzalez	X				
Matt Hudson	X				
Mia Jones	X				
Jeanette Nuñez	X				
Jose Oliva	X				
Ari Porth	X				
Scott Randolph			X		
Betty Reed	X				
Ronald Renuart	X				
Patrick Rooney, Jr.	X				
Elaine Schwartz	X				
John Wood (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 0</b>			

**Appearances:**

Sehgal, Angela (State Employee) - Waive In Support  
 Board of Athletic Training  
 1104 Spirit Way, FSU  
 Tallahassee FL 32306  
 Phone: (850) 566-4506

Pitts, Brian - Opponent  
 Justice-2-Jesus  
 1119 Newton Ave. S.  
 St. Petersburg FL 33705  
 Phone: (727) 897-9291

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