A bill to be entitled

An act relating to health care practitioner discipline; amending s. 456.072, F.S.; subjecting health care practitioners to disciplinary action for specified offenses; amending s. 456.074, F.S.; revising provisions relating to immediate suspension of licensure to apply to all health care practitioners; requiring the Department of Health to issue emergency orders to suspend health care practitioner licenses if they enter a criminal plea to, or are convicted or found guilty of, a felony relating to homicide or are arrested for committing or attempting, soliciting, or conspiring to commit acts that would constitute violations of specified criminal offenses; providing an effective date; providing an effective date.

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

Section 1. Paragraph (rr) is added to subsection (1) of section 456.072, Florida Statutes, to read:

456.072 Grounds for discipline; penalties; enforcement.—

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(rr) Being convicted or found guilty of, entering a plea of guilty or nolo contendere to, regardless of adjudication, or committing or attempting, soliciting, or conspiring to commit an act that would constitute a violation of any of the offenses listed in s. 456.074(5) or a similar offense in another jurisdiction.

Section 2. Subsection (5) of section 456.074, Florida Statutes, is renumbered as subsection (6), respectively, and subsection (5) is added to that section, and subsection (1) of that section is amended, to read:

456.074 Certain health care practitioners; immediate suspension of license.—

(1) The department shall issue an emergency order suspending the license of any health care practitioner ~~person licensed under chapter 458, chapter 459, chapter 460, chapter 461, chapter 462, chapter 463, chapter 464, chapter 465, chapter 466, or chapter 484~~ who pleads guilty to, is convicted or found guilty of, or who enters a plea of nolo contendere to, regardless of adjudication, any of the following ~~to~~:

(a) A felony under chapter 409, chapter 817, or chapter 893 or under 21 U.S.C. ss. 801-970 or under 42 U.S.C. ss. 1395-1396.~~;~~

(b) A misdemeanor or felony under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518 or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program.~~; or~~

(c) A felony under s. 784.086, relating to a reproductive battery.

(d) A felony under chapter 782, relating to homicide.

(5) The department shall issue an emergency order suspending the license of any health care practitioner who is arrested for committing or attempting, soliciting, or conspiring to commit any act that would constitute a violation of any of the following criminal offenses in this state or similar offenses in another jurisdiction:

(a) Section 393.135(2), relating to sexual misconduct against an individual with a developmental disability.

(b) Section 394.4593(2), relating to sexual misconduct against a patient of a receiving or treatment facility or otherwise in the custody of the Department of Children and Families.

(c) Section 787.01, relating to kidnapping.

(d) Section 787.02, relating to false imprisonment.

(e) Section 787.025(2), relating to luring or enticing a child.

(f) Section 787.06(3)(b),(d), (f), or (g), relating to human trafficking for commercial sexual activity.

(g) Former s. 787.06(3)(h), relating to human trafficking of a child under the age of 15 for commercial sexual activity.

(h) Section 787.07, relating to human smuggling.

(i) Section 794.011, relating to sexual battery, excluding s. 794.011(10).

(j) Section 794.05, relating to unlawful sexual activity

with certain minors.

(k) Section 794.08, relating to female genital mutilation.

(l) Former s. 796.03, relating to procuring a person under the age of 18 for prostitution.

(m) Former s. 796.035, relating to the selling or buying of minors into prostitution.

(n) Section 796.04, relating to forcing, compelling, or coercing another to become a prostitute.

(o) Section 796.05, relating to deriving support from the proceeds of prostitution.

(p) Section 796.07(4)(a)3., relating to a felony of the third degree for a third or subsequent violation of s. 796.07, relating to prohibiting prostitution and related acts.

(q) Section 800.04, relating to lewd or lascivious offenses committed upon or in the presence of persons younger than 16 years of age.

(r) Section 810.145(8), relating to video voyeurism of a minor.

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

(t) Section 827.071, relating to sexual performance by a child.

(u) Section 847.011, relating to prohibited acts in connection with obscene, lewd, etc., materials.

(v) Section 847.012, relating to materials harmful to minors.

(w) Section 847.013, relating to exposing minors to harmful motion pictures, exhibitions, shows, presentations, or representations.

(x) Section 847.0133, relating to the protection of minors from obscene materials.

(y) Section 847.0135, relating to computer pornography, prohibited computer usage, or traveling to meet minors, excluding s. 847.0135(6).

(z) Section 847.0137, relating to transmission of child pornography by electronic device or equipment.

(aa) Section 847.0138, relating to the transmission of material harmful to minors to a minor by electronic device or equipment.

(bb) Section 847.0145, relating to the selling or buying of minors.

(cc) Section 856.022, relating to loitering or prowling in close proximity to children.

(dd) Section 895.03, relating to racketeering activity, if the court makes a written finding that the racketeering activity involved at least one sexual offense listed in this subsection or at least one offense listed in this subsection which was committed with sexual intent or motive.

(ee) Section 916.1075(2), relating to sexual misconduct against a forensic client of a civil or forensic facility for defendants who have a mental illness or an intellectual disability.

(ff) Section 985.701(1), relating to sexual misconduct

against a juvenile offender.

(gg) Any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this subsection.

Section 3. This act shall take effect July 1, 2021.