

THE FLORIDA BOARD OF NURSING

ANNUAL REGULATORY PLAN 2020-2021

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes*. The Plan covers the period beginning October 1, 2020 and ending September 30, 2021.

PART ONE

LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2020 Legislative Session which creates or modifies the duties or authority of the Board of Nursing. §120.74(1)(a), Fla. Stat.

Law Enacted or Modified on or after Oct. 1, 2019	Florida Statute (modified or created)	Rule (impacted)	Must Agency Adopt Rules?	If Rulemaking Necessary, Notice of Development Published in Florida Administrative Register?	Expected Publication Date for Notice of Proposed Rulemaking	If Rulemaking Not Necessary, Explain
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<p>Ch. 2020-009, Laws of Fla. Eff. July 1, 2020 (CS for HB 607 – Direct Care Workers)</p>	<p>Modified §456.053, §464.003, §464.012, §464.018; and Created §464.003(5), F.S., §464. 0123, F.S. §464.0156 and §464.2035, Fla. Stat.</p>	<p><u>64B9-8.006</u>, F.A.C. <u>64B9-14.001</u>, F.A.C. <u>64B9-14.0015</u>, F.A.C. <u>64B9-15.002</u>, F.A.C. <u>64B9-15.005</u>, F.A.C. <u>64B9-15.007</u>, F.A.C. <u>64B9-15.0025</u>, F.A.C. <u>64B9-15.0026</u>, F.A.C.</p>	<p>Yes</p>	<p>October 2020 July 20, 2020 July 20, 2020 July 22, 2020 July 22, 2020 October 2020 July 22, 2020 July 22, 2020</p>	<p>December 2020 September 2020 September 2020 September 2020 September 2020 December 2020 October 2020 October 2020</p>	
<p>Ch. 2020-031, Laws of Fla. Eff. July 1, 2020 (SB 698 – Reproductive Health)</p>	<p>Modified §456.072, Fla. Stat., and §456.074 Created §456.51</p>	<p><u>64B9-8.006</u>, F.A.C. <u>64B9-15.009</u>, F.A.C.</p>		<p>October 2020 October 2020</p>	<p>December 2020 December 2020</p>	<p>In addition to implementing provisions of SB 698, SB 1084, and HB 115, the Board proposes amendments to existing guidelines</p>

Ch. 2020-076, Laws of Fla. Eff. July 1, 2020 (SB 1084 – Emotional Support Animals)	Modified §456.072, Fla. Stat.	<u>64B9-8.006</u> , F.A.C.	Yes	October 2020	December 2020	
Ch. 2020-125, Laws of Florida, Effective July 1, 2020 (HB 115)	Created §120.82, F.S.; Modified §456.0635, F.S., §456.072, F.S., and §456.074, F.S.; and Repealed §456.0721, F.S.	<u>64B9-8.006</u> , F.A.C. <u>64B9-15.009</u> , F.A.C.	Yes	November 2020 November 2020	December 2020 December 2020	
Ch. 2020-133, Laws of Fla. Eff. July 1, 2020 (HB 713 – Health Regulations)	Modified §456.013, F.S., §456.053, F.S. §456.074, F.S., Repealed §456.0721, Fla. Stat. Modified §464.019, F.S., §464.202, F.S., §464.203, F.S., §464.204, F.S.	<u>64B9-2.016</u> , F.A.C. <u>64B9-2017</u> , F.A.C. <u>64B9-2.019</u> , F.A.C. <u>64B9-3.002</u> , F.A.C. <u>64B9-3.008</u> , F.A.C. <u>64B9-4.001</u> , F.A.C. <u>64B9-4.020</u> , F.A.C. <u>64B9-15.0035</u> , F.A.C.	Yes	October 2020 October 2020 October 2020 July 16, 2020 July 16, 2020 October 2020 October 2020 July 16, 2020	December 2020 December 2020 December 2020 September 2020 September 2020 December 2020 December 2020 September 2020	

PART TWO
LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING

Part Two of this plan addresses those laws which the Board of Nursing intends to implement through rulemaking by July 1, 2020, that are otherwise not covered pursuant to Part One of this Plan. This Part does not include emergency rulemaking or any other rulemaking that may become necessary that was not evident to the Board at the time of the submission of this plan. Additionally, the listing of a law to be implemented does not mean the rule will necessarily be adopted or effective by July 1, 2021. §120.74(1)(b), Fla. Stat.

Rule Number And Title	Law Expected to Be Implemented Through Rulemaking	Intent of Rulemaking
64B9-3.016, F.A.C. (Multi-State License Upgrade)	§456.013, F.S., §456.0635, F.S. and §464.0095, F.S	Clarify, Simplify, Increase Efficiency
64B9-4.002, F.A.C., (Requirements for Licensure)	§§456.048, 456.072, 456.0135, and 456.0635, F.S. and §§464.012, and 464.018, F.S.	Clarify, Simplify, Increase Efficiency
64B9-4.011, F.A.C., (Dispensing Practitioners)	§§464.012, and 465.0276, F.S.	Clarify, Simplify, Increase Efficiency
64B9-5.005, F.A.C. (Procedure Relating to the Provider)	§464.013, F.S.	Clarify, Simplify
64B9-6.003, F.A.C. (Reactivation of Inactive License)	§456.013, F.S., §456.036, F.S., §456.0635, F.S., and §464.014, F.S.	Clarify, Simplify, Increase Efficiency
64B9-6.004, F.A.C. (Retired License Status)	§456.036, F.S.,	Increase Efficiency; Simplify
64B9-8.003, F.A.C. (Citations)	§456.077, F.S.	Simplify, clarify, increase efficiency, decrease regulation
64B9-8.0045, F.A.C.	§120.695, F.S., §456.073, F.S.	Simplify, clarify, increase efficiency, decrease regulation

(Minor Violations)		
64B9-12.005, F.A.C. (Competency and Knowledge Requirements Necessary to Qualify the LPN to Administer IV Therapy	§464.003	Simplify, clarify, update, increase efficiency

PART THREE
UPDATES TO PRIOR YEAR'S PLAN

Part Three of the Plan addresses whether there are any updates to the prior year's regulatory plan. §120.74(c), Fla. Stat.

- There are not any updates to the prior year's annual regulatory plan.

PART FOUR
CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat.

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Nursing regularly reviews all of its rules to determine if the rules remain consistent with the Board's rulemaking authority and the laws being implemented, with the most comprehensive enhanced review having been completed on the 3rd day of September, 2020.

/S/ Deborah McKeen
Electronic Signature
Deborah McKeen, CD-LPN, BS
Chair of the Board of Nursing

September 3, 2020
Date Signed

/S/ Deborah Bartholow Loucks
Electronic Signature
Deborah Bartholow Loucks
Senior Assistant Attorney General
Counsel to the Board of Nursing

September 3, 2020
Date Signed