

THE FLORIDA BOARD OF OSTEOPATHIC MEDICINE

ANNUAL REGULATORY PLAN 2020-21

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 Osteopathic Medicine. §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
Ch. 2020-031, Laws of Fla. Eff. July 1, 2020 (SB 698 – Reproductive Health)	Modified §456.072, and §459.015, Fla. Stat.; Created §456.51, Fla. Stat.	<u>64B15-19.002</u> , F.A.C. <u>64B15-6.011</u> , F.A.C.	Yes Yes	September 2020 November 2020	October 2020 December 2020	In addition to implementing provisions of SB 698 and SB 1084, the Board proposes guidelines to implement Section 456.47, F.S., and amendments to existing guidelines.

Ch. 2020-050, Laws of Fla. Eff. June 20, 2020 (SB 218 - Licensure Requirements for Osteopathic Physicians)	Modified §459.0055, Fla. Stat.	<u>64B15-12.003</u> , F.A.C.	Yes	May 29, 2020	July 17, 2020	N/A
Ch. 2020-076, Laws of Fla. Eff. July 1, 2020 (SB 1084 – Emotional Support Animals)	Modified §456.072, Fla. Stat.	<u>64B15-19.002</u> , F.A.C. <u>64B15-6.011</u> , F.A.C.	Yes Yes	September 2020 November 2020	October 2020 December 2020	In addition to implementing provisions of SB 698 and SB 1084, the Board proposes guidelines to implement Section 456.47, F.S., and amendments to existing guidelines.
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July 1, 2020 (HB 115)	Created §120.82, F.S.; Modified §456.0635, F.S., §456.072, F.S., and §456.074, F.S.; and Repealed §456.0721, F.S.	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>64B15-12.003</u> , F.A.C. <u>64B15-12.005</u> , F.A.C. <u>64B15-12.009</u> , F.A.C. <u>64B15-12.010</u> , F.A.C. <u>64B15-12.011</u> , F.A.C. <u>64B15-22.004</u> , F.A.C. <u>64B15-6.003</u> , F.A.C. <u>64B15-7.003</u> , F.A.C.	Yes Yes Yes	May 29, 2020 May 29, 2020 May 29, 2020 May 29, 2020 May 29, 2020 May 29, 2020 June 18, 2020 September 2020	July 17, 2020 July 17, 2020 July 17, 2020 July 17, 2020 July 17, 2020 July 17, 2020 July 22, 2020 October 2020	N/A

Ch. 2020-133, Laws of Fla. Eff. July 1, 2020 (HB 713 – Health Regulations)	Repealed §456.0721, Fla. Stat. Also modified §459.0055, Fla. Stat. (same as Ch. 2020-050 above)	<u>64B15-12.003</u> , F.A.C.	Yes	May 29, 2020	July 17, 2020	N/A
		<u>64B15-12.005</u> , F.A.C.		May 29, 2020	July 17, 2020	
		<u>64B15-12.009</u> , F.A.C.		May 29, 2020	July 17, 2020	
		<u>64B15-12.010</u> , F.A.C.		May 29, 2020	July 17, 2020	
		<u>64B15-12.011</u> , F.A.C.		May 29, 2020	July 17, 2020	
		<u>64B15-22.004</u> , F.A.C.	May 29, 2020	July 17, 2020		
		<u>64B15-6.003</u> , F.A.C.	Yes	June 18, 2020	July 22, 2020	
<u>64B15-7.003</u> , F.A.C.	Yes	September 2020	October 2020			

PART TWO
LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING

Part Two of this plan addresses those laws which the Board of Osteopathic Medicine intends to implement through rulemaking by July 1, 2021, 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
<u>64B15-12.003</u> , F.A.C., (Gen. application)	§§456.013, and 459.0055, F.S.	Clarify, Simplify, Increase Efficiency, Update Forms
<u>64B15-12.005</u> , F.A.C., (Limited license)	§§456.013, and 459.0075, F.S.	Clarify, Simplify, Increase Efficiency, Update Forms
<u>64B15-12.010</u> , F.A.C., (Area Critical Need)	§§456.013, and 459.0076, F.S.	Clarify, Simplify, Increase Efficiency, Update Forms
<u>64B15-12.011</u> , F.A.C. (Military ACN)	§§456.013, and 456.0761, F.S.	Clarify, Simplify, Increase Efficiency, Update Forms
<u>64B15-12.009</u> , F.A.C. (Osteo. Fac. Cert.)	§§456.013, and 459.0077, F.S.	Clarify, Simplify, Increase Efficiency, Update Forms
<u>64B15-22.004</u> , F.A.C., (Reg. Unlic.	§§456.013, and 459.021, F.S.	Clarify, Simplify, Increase

Phys)		Efficiency, Update Forms
<u>64B15-6.003</u> , F.A.C., (PA licensure)	§§456.013, and 459.022, F.S.	Clarify, Simplify, Increase Efficiency, Update Forms
<u>64B15-7.003</u> , F.A.C., (AA licensure)	§§456.013, and 459.023, F.S.	Clarify, Simplify, Increase Efficiency, Update Forms
<u>64B15-XXX</u> , F.A.C (Practice Standards for Certification of Smoking as a Route of Administration of Medical Use of Marijuana)	§381.986(4), F.S.	Create rule implementing statute

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 Osteopathic Medicine 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 30th day of June, 2015, with continuing Board review through August, 2020.

/S/ Joel Rose, D.O.
Electronic Signature
Joel Rose, D.O.
Chair of the Board of Osteopathic Medicine

August 28, 2020
Date Signed

/S/ Donna C. McNulty, Esq.
Electronic Signature
Donna C. McNulty
Special Counsel
Counsel to the Board of Osteopathic Medicine

August 28, 2020
Date Signed