

THE FLORIDA BOARD OF RESPIRATORY CARE

ANNUAL REGULATORY PLAN 2017-18

This Annual Regulatory Plan is being filed and published pursuant to section 120.74, *Florida Statutes* (2017). The Plan covers the period beginning October 1, 2017 and ending September 30, 2018.

PART ONE LAWS ENACTED OR AMENDED

Part One of the Plan addresses each law enacted or amended during the 2017 Legislative Session which creates or modifies the duties or authority of the Board of Respiratory Care. §120.74(1)(a), Fla. Stat. (2017).

Law Enacted or Modified on or after Oct. 1, 2016	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. 2017-50, §3, Laws of Fla., Effective 5-31-17 (HB 229)	§456.0635, F.S., (Healthcare Fraud; disqualification for license, certificate, or registration)	64B32-2.001, F.A.C. (Licensure by Endorsement)	No	Not Applicable	Not Applicable	Although rulemaking is not required, certain questions on the licensure applications may be clarified; therefore, the Board has opened Rule 64B32-2.001, F.A.C., for development to address this and other application issues prior to the end of 2017.

PART TWO
LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING

Part Two of this plan addresses those laws which the Board of Respiratory Care intends to implement through rulemaking by July 1, 2018 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, 2018. §120.74(1)(b), Fla. Stat. (2017).

Rule Number And Title	Law Expected to Be Implemented Through Rulemaking	Intent of Rulemaking
64B32-2.001, F.A.C. (Licensure by Endorsement)	§456.013, F.S., (Department; general licensing provisions.) §456.072(1), (2), F.S., (Grounds for discipline; penalties; enforcement.) §456.0635, F.S., (Healthcare Fraud; disqualification for license, certificate, or registration) §468.358, F.S., (Licensure by endorsement) §468.364, F.S., (Fees; establishment; disposition) §468.365(1), (2), F.S., (Disciplinary grounds and actions)	Clarify; Simplify; Increase Efficiency

64B32-6.007, F.A.C.
(Continuing Education Requirements for
Reactivation of License)

§468.363, F.S.,
(Reactivation of licensure; continuing
education)

Clarify

PART THREE
UPDATES TO PRIOR YEAR'S PLAN

Part Three of the Plan address whether there are any updates to the prior year's regulatory plan. §120.74(1)(c), Fla. Stat. (2017).

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

PART FOUR
CERTIFICATION PURSUANT TO §120.74(1)(d), Fla. Stat. (2017)

The undersigned hereby certify that they have reviewed this Annual Regulatory Plan and that the Board of Respiratory Care 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 12th day of January, 2017 with continuing board review through August, 2017.

/S/ Joseph Frey
Electronic Signature
Joseph Frey, MBA-HCM, B.S. RRT
Chair of the Board of Respiratory Care

9/13/2017
Date Signed

/S/ Rachelle Munson
Electronic Signature
Rachelle Munson
Assistant Attorney General
Counsel to the Board of Respiratory Care

9/13/2017
Date Signed