

THE FLORIDA BOARD OF MEDICINE

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 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 §458.331, Fla. Stat.; Created §456.51, Fla. Stat.	<u>64B8-8.001</u> , F.A.C. <u>64B8-30.015</u> , F.A.C.	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. 2020-076, Laws of Fla. Eff. July 1, 2020 (SB 1084 – Emotional Support Animals)	Modified §456.072, Fla. Stat.	<u>64B8-8.001</u> , F.A.C. <u>64B8-30.015</u> , F.A.C.	Yes	November 2020 November 2020	December 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July 1, 2020 (HB 115)	Created §120.82, F.S.; Modified §456.0635, F.S., §456.072, F.S., and §456.074, F.S.; and Repealed §456.0721, F.S.	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>64B8-4.009</u> , F.A.C. <u>64B8-30.003</u> , F.A.C. <u>64B8-31.003</u> , F.A.C. <u>64B8-42.001</u> , F.A.C. <u>64B8-42.002</u> , F.A.C. <u>64B8-51.001</u> , F.A.C. <u>64B8-51.002</u> , F.A.C. <u>64B8-51.006</u> , F.A.C.	Yes	June 16, 2020 September 2020 September 2020 June 10, 2020 June 10, 2020 October 2020 October 2020 October 2020	July 21, 2020 October 2020 October 2020 October 2020 October 2020 November 2020 November 2020 November 2020	N/A
Ch. 2020-133, Laws of Fla. Eff. July 1, 2020 (HB 713 – Health Regulations)	Repealed §456.0721, Fla. Stat. Also modified §458.3312, Fla. Stat.	<u>64B8-4.009</u> , F.A.C. <u>64B8-30.003</u> , F.A.C. <u>64B8-31.003</u> , F.A.C. <u>64B8-11.001</u> , F.A.C. <u>64B8-42.001</u> , F.A.C. <u>64B8-42.002</u> , F.A.C. <u>64B8-51.001</u> , F.A.C. <u>64B8-51.002</u> , F.A.C. <u>64B8-51.006</u> , F.A.C.	Yes	June 16, 2020 September 2020 September 2020 September 2020 June 10, 2020 June 10, 2020 October 2020 October 2020 October 2020	July 21, 2020 October 2020 October 2020 October 2020 October 2020 October 2020 November 2020 November 2020 November 2020	N/A

PART TWO
LAWS EXPECTED TO BE IMPLEMENTED THROUGH RULEMAKING

Part Two of this plan addresses those laws which the Board of Medicine 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
<u>64B8-4.009</u> , F.A.C. (Applications)	§§456.013, 458.311, 458.313, 458.3137, 458.3145, 458.315, 458.3151, 458.317, and 458.345, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B8-30.003</u> , F.A.C., (PA licensure)	§§456.013, and 458.347, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B8-31.003</u> , F.A.C., (AA licensure)	§§456.013, and 458.3475, F.S.	Clarify, Simplify, Increase Efficiency
<u>64B8-44.003</u> , F.A.C. (Disciplinary Guidelines)	§456.47, F.S.	Clarify
<u>64B8-51.001</u> , F.A.C. (Manner of Application)	§456.013, F.S., §456.0635, F.S., §478.45, F.S., §478.46, F.S., §478.47, F.S., §478.55, F.S.,	Clarify, Increase Efficiency
<u>64B8-51.002</u> , F.A.C. (Licensure by Examination)	§456.017, F.S., §456.0635, F.S. §478.45, F.S.	Increase Efficiency; Reduce regulatory costs
<u>64B8-51.006</u> , F.A.C.	§456.013, F.S., §456.033, F.S.,	Simplify, clarify, increase efficiency

(Rule Governing Licensure and Inspection of Electrology Facilities)	§478.43(4), F.S., §478.50(2), (4)(a) and (b), F.S.	
<u>64B8-52.003</u> , F.A.C. (Procedure for Approval of Attendance at Continuing Education Courses)	§456.013, F.S., §456.033, F.S., §478.43(4), F.S., §478.50(2), (4)(a) and (b), F.S.	Simplify, clarify, increase efficiency
<u>64B8-55.001</u> , F.A.C, (Disciplinary Guidelines)	§456.072, F.S., §456.073, F.S., §456.079, F.S., §478.52(4), F.S.	Simplify, clarify, increase efficiency
<u>64B8-55.002</u> , F.A.C. (Citations)	§456.072(3) and (4), F.S., §456.077(1) and (2), F.S., §478.51, F.S., and §478.52, F.S.	Simplify, clarify, increase efficiency
<u>64B8-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 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 30th day of June, 2015, with continuing Board review through August, 2020.

/S/ Zachariah P. Zachariah, M.D.
Zachariah P. Zachariah, M.D.
Chair of the Board of Medicine

August 28, 2020
Date Signed

/S/ Edward A. Tellechea, Esq.
Edward A. Tellechea
Chief Assistant Attorney General
Counsel to the Board of Medicine

August 28, 2020
Date Signed