

2021 Physical Therapy Rule Updates as of April 19, 2021:

The following rules were amended and have become effective in 2021. Underlined language was added and ~~strike through~~ language was removed. Every effort has been made to accurately reflect the amended language. The Florida Department of State maintains the official rule language at this address: <https://www.flrules.org/gateway/Division.asp?DivID=308>

64B17-6.001 Minimum Standards of Physical Therapy Practice.

(1) No Change.

(2) Physical Therapy Personnel Responsibilities In General. Physical therapy is a profession involving skilled practice of patient care. The primary concern of the physical therapist and physical therapist assistant is always the safety, well being, and best interest of the patient who must therefore recognize and carry out services consistent with legal rights and personal dignity of the patient. Accordingly, it is the responsibility of all physical therapists and physical therapist assistants to:

(a) Through (b) No Change.

(c) Avoid acts which ~~blatantly~~ disregard a patient's modesty by intentionally viewing a completely or partially disrobed patient if the viewing is not related to the patient diagnosis or treatment and neither suggest nor engage in sexual activities with patients under their care.

(d) Refrain from engaging in sexual misconduct, which is prohibited by ss. 486.123 and 456.063(1). ~~Neither use nor participate in the use of any form of communication containing false, fraudulent, misleading, deceptive, unfair or sensational statement or claim, nor use bribery in any form, nor use false advertising, nor misrepresentation of services or self, nor engage in other unprofessional conduct, including, but not limited to:~~

- ~~1. Inaccurately recorded, falsified, or altered patient records,~~
- ~~2. Falsely representing or misrepresenting facts on an application for employment,~~
- ~~3. Impersonating or acting as a proxy for an applicant in any examination for certification or registration,~~
- ~~4. Impersonating another certified or registered practitioner or permitting another to use his or her license for the purpose of practicing physical therapy or receiving compensation,~~
- ~~5. Providing false or incorrect information regarding the status of licensure.~~

(e)(d) No Change.

(f)(e) No Change.

(g)(f) No Change.

(3) Physical Therapist Responsibilities. Physical therapists shall:

(a) Through (f) No Change.

(g) When participating in student programs, ensure that the academic programs are accredited or in candidacy by the appropriate accrediting agency recognized by statute, and that the physical therapist provides direct supervision when students are performing patient care activities. Direct Supervision of a student in telehealth occurs when the supervising physical therapist is immediately physically available to visualize, hear, and speak with the patient and the student during the encounter in a synchronous fashion.

(h) Complete accurate ~~Keep~~ written medical records justifying the course of treatment of the patient, including, but not limited to, initial physical therapy assessment, plan of treatment, treatment notes, progress notes, examination results, test results, and discharge summary.

(4) Physical Therapist Assistant Responsibilities. Physical therapist assistants shall:

(a) Through (f) No Change.

(g) When participating in student programs, ensure that the academic programs are accredited or in candidacy by the appropriate accrediting agency recognized by statute, and that the physical therapist assistant provides direct supervision when students are performing patient care activities. Supervision of a student in telehealth occurs when the supervising physical therapist assistant is immediately physically available to visualize, hear, and speak with the patient and the student during the encounter in a synchronous fashion.

(h) Complete accurate written medical records documenting the course of treatment for each patient.

(5) Through (7) No Change.

Rulemaking Authority 486.025 FS. Law Implemented ~~456.063, 486.021(5), (6), (9), (10), (11), 486.031, 486.102, 486.123, 486.125(1), 486.161(3)~~ FS. History—New 8-6-84, Formerly 21M-9.30, Amended 9-22-87, Formerly 21M-9.030, Amended 9-5-90, 3-5-92, 3-24-93, Formerly 21MM-6.001, 61F11-6.001, Amended 8-16-95, Formerly 59Y-6.001, Amended 1-8-98, 1-11-99, 4-18-04, 6-1-09, 2-18-16, 7-4-17, 2-16-21.

64B17-3.001 Licensure.

(1) Application. Every person who applies for licensure as a physical therapist or physical therapist assistant shall file DOH Form #DH-MQA 1142, Application for Physical Therapist or Physical Therapist Assistant Licensure, revised 12/2020 ~~10/16~~, which is hereby incorporated by reference and is available through http://www.flrules.org/Gateway/reference.asp?No=Ref_____, or www.floridasphysicaltherapy.gov/resources.

(2) Qualifications for Licensure. All applicants for licensure as a physical therapist or physical therapist assistant must demonstrate the following:

- (a) Is eighteen years old;
- (b) Possesses good moral character; and,
- (c) Education:

1. For physical therapists, have received a degree as a physical therapist from a physical therapist educational program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE), at the time of graduation, or

2. For physical therapist assistants,

a. Have received a degree as a physical therapist assistant from a physical therapist assistant educational program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE), at the time of graduation, or

b. Have been enrolled between July 1, 2014, and July 1, 2016, in a physical therapist assistant school in this state which was accredited at the time of enrollment and have been graduated or be eligible to graduate from such school no later than July 1, 2018,

3. For a physical therapist or physical therapist assistant to be approved to take the licensure examination, the Board must receive verification that the applicant has graduated. The applicant's institution may send a final transcript, or the applicant's program may send a Letter of Completion. For the Board to consider a Letter of Completion, the letter must:

a. Be sent to the Board directly from the educational institution,

b. Be presented on official school letterhead,

c. Confirm that the individual completed all clinical and didactic requirements of their specified degree,

d. State the date the individual earned their degree, and

e. Be signed and dated by the program director or the school registrar.

4. For physical therapists and physical therapist assistants who have received a diploma from a program in physical therapy in a foreign country, have received a determination that their credentials are equivalent to the education and preparation required for licensure as a physical therapist or physical therapist assistant in the United States. Educational credentials equivalent

to those required for the education and preparation of physical therapists or physical therapist assistants in this country shall be determined by an agency as provided in Rule 64B17-3.007, F.A.C.

(3) Additional provision for applications for licensure without examination (by endorsement).

(a) For purposes of compliance with Sections 486.031, 486.081, and 486.107, F.S., the standard for determining whether the standards of another jurisdiction are as high as the standards in Florida shall be whether the written examination taken for licensure in such other jurisdiction by applicants meeting Florida's minimum educational qualifications was through the national physical therapy examination provider certified by the Department.

(b) Physical therapist applicants who meet the education and examination requirements for licensure without examination shall show proof of an active physical therapist license in another state, the District of Columbia, a territory, or a foreign country. Physical therapist assistant applicants who meet the education and examination requirements for licensure without examination shall show proof of an active physical therapist assistant license in another state, the District of Columbia, or a territory.

(c) An applicant for licensure without examination who has been educated in a foreign country shall demonstrate minimum educational qualifications, as used in paragraph (3)(a), by:

1. Obtaining a determination of educational credentials equivalency as provided by Rule 64B17-3.007, F.A.C., or

2. Providing the following:

a. A certified copy of the credential evaluation used by the physical therapy licensing board of another state. The evaluation must be on the appropriate coursework tool (CWT) adopted by the Federation of State Boards of Physical Therapy (FSBPT) and reflect the education criteria in place at the time of graduation; and,

b. Proof of 1,000 clinical practice hours each year in the United States for five (5) out of the last ten (10) years.

(I) Full-time teaching of physical therapy education may count toward 250 of the 1,000 required practice hours per year.

(II) Proof of clinical practice hours in the United States shall consist of submission of a written statement evidencing the number of clinical hours the applicant practiced in each of the five (5) years.

(4) An applicant for licensure as a physical therapist who has failed to pass the National Physical Therapy Examination for Physical Therapists or an applicant for licensure as a physical therapist assistant who has failed to pass the National Physical Therapy Examination for Physical Therapist Assistants by or on the fifth attempt, regardless of the jurisdiction through which the examination was taken, is precluded from licensure.

Rulemaking Authority 456.013, 486.025, 486.031(3), 486.104 FS. Law Implemented 456.013, 456.017, 456.0635, 456.38, 486.031, 486.041, 486.051, 486.061, 486.0715, 486.081, 486.102, 486.103, 486.104 FS. History—New 8-6-84, Amended 6-2-85, Formerly 21M-7.20, Amended 5-18-86, Formerly 21M-7.020, 21MM-3.001, Amended 3-1-94, Formerly 61F11-3.001, Amended 12-22-94, 4-10-96, Formerly 59Y-3.001, Amended 12-30-98, 1-23-03, 4-9-06, 9-19-06, 3-13-07, 5-11-08, 5-21-09, 8-10-09, 7-5-10, 12-17-12, 12-15-14, 2-14-17, 10-22-17, 5-14-20 2-24-21.

64B17-3.002 Licensure Examination and Passing Score; Laws and Rules Examination; Additional Requirements After Third Failure.

(1) The licensure examination for physical therapists shall be the National Physical Therapy Examination (NPTE) for Physical Therapists developed by the Federation of State Boards of Physical Therapy (FSBPT). The licensure examination for physical therapist assistants shall be the National Physical Therapy Examination for Physical Therapist Assistants developed by the

FSBPT. An applicant for licensure by examination who has previously taken the NPTE examination must have obtained a passing score on the NPTE examination within the five (5) years immediately prior to the filing of the application for licensure.

(2) Florida Laws and Rules Examination.

(a) All applicants for licensure including those seeking licensure without examination (by endorsement) are required to take and pass the Florida Laws and Rules Examination developed by the FSBPT. Passing scores on the Laws and Rules Examination are set by the FSBPT and are not valid for more than five years after the Applicant took the examination.

(b) The Florida Laws and Rules Examination has 40 scored questions and the content and approximate weights are:

1. Legislative Intent and Definitions 25%,
2. Board Powers and Duties 5%,
3. Licensure and Examination 7.5%,
4. Patient Care 35%,
5. Disciplinary Action and Unlawful Practice 15%; and,
6. Consumer Advocacy 12.5%.

(3) Passing Scores.

(a) Passing scores on the NPTE and Florida Laws and Rules Examination are determined by the FSBPT. In determining whether an applicant has received a passing score, the Board will use the information contained in the applicant's FSBPT Score Report.

(b) In cases where an applicant's Score Report does not state "pass" or "fail," the Board will deem an applicant to have passed the examination if the applicant's raw scaled score is not less than one point five (1.5) standard deviations below the national average for that examination offering.

(4) Examination retakes.

(a) In order to retake either the NPTE or the Florida Laws and Rules Examination, an applicant must reapply, using DOH Form #DH-MQA 1143, Re-Examination Application for Physical Therapist or Physical Therapist Assistant, Revised 12/2020 44/45, incorporated by reference, which is available through <http://www.flrules.org/Gateway/reference.asp?No=Ref-07861> or www.floridasphysicaltherapy.gov/resources.

(b) If an applicant wishes to take the NPTE examination for the fourth time, the applicant must submit to the Board for approval satisfactory evidence of having successfully completed the following since the last taking of the examination: successful completion of a course of study or internship designed to prepare the applicant for the physical therapy examination. An applicant who has completed these additional requirements may take the examination on two more occasions.

Rulemaking Authority 456.017, 486.025, 486.104 FS. Law Implemented 456.017, 456.0635, 486.031, 486.051, 486.102, 486.104 FS. History—New 8-6-84, Formerly 21M-7.22, Amended 3-16-88, 6-20-89, Formerly 21M-7.022, Amended 6-6-90, 6-3-92, 3-24-93, Formerly 21MM-3.002, 61F11-3.002, Amended 12-22-94, Formerly 59Y-3.002, Amended 2-14-02, 4-23-02, 12-5-04, 4-9-06, 1-7-07, 6-27-07, 5-21-09, 8-10-09, 6-29-10, 2-14-17, 2-24-21.

64B17-5.001 Requirements for Reactivation of an Inactive or Retired License.

An inactive or retired license shall be reactivated upon receipt by the Board office of the following:

- (1) Payment of all applicable fees, including:
 - (a) The biennial renewal fee as specified by subsection 64B17-2.001(5), F.A.C.;
 - (b) The unlicensed activity fee as specified by Section 456.065(3), F.S.;
 - (c) The reactivation fee as specified by subsection 64B17-2.001(9), F.A.C.;

(d) The change of status fee as specified by subsection 64B17-2.001(10), F.A.C.; and

(2) Documentation of compliance with all continuing education requirements as provided in Rule 64B17-9.001, F.A.C., including prevention of medical errors, for the biennium during which the licensee last held an active license; and,

(3)(a) Documentation of completion of ten (10) hours of continuing education for each year the license was inactive, including two (2) hours on the prevention of medical errors. No more than six (6) hours of continuing education may be completed by home study per year of inactive status, except that through the biennial renewal in 2021, all required continuing education may be completed by home study. As part of the ten (10) hours of continuing education, the applicant must document completion of two (2) hours of continuing education specifically on Florida Physical Therapy Laws and Rules within the twelve (12) months immediately preceding application for reactivation. In lieu of two (2) hours of continuing education specifically on Florida Physical Therapy Laws and Rules, the applicant may receive two (2) hours of continuing education for taking and passing, within twelve (12) months immediately preceding application for reactivation, the Florida laws and rules examination developed by the FSBPT; or

(b) Documentation that the applicant is licensed and in good standing in another state and has actively engaged in the practice of physical therapy for the four (4) years immediately preceding application for reactivation. For purposes of this paragraph, “actively engaged in the practice of physical therapy” means the applicant practiced at least four hundred (400) hours per year in a state or states where the applicant maintained licensure; or

(c) Documentation of application for and successful passage of the National Physical Therapy Examination, including payment of all associated fees.

Rulemaking Authority 486.025, 486.085(3), (4)(a), 486.108(3), 456.036 FS. Law Implemented 486.085, 486.108, 456.036 FS. History—New 8-6-84, Formerly 21M-8.11, Amended 9-22-87, 12-30-87, 6-20-89, Formerly 21M-8.011, Amended 3-24-93, Formerly 21MM-5.001, 61F11-5.001, Amended 12-22-94, 4-4-95, 8-16-95, 7-1-97, Formerly 59Y-5.001, Amended 8-9-04, 7-19-06, 1-8-08, 8-18-08, 9-30-15, 10-16-17, 2-25-21.

64B17-6.008 Minimum Standards of Practice for the Performance of Dry Needling.

(1) For purposes of this rule only, the words and phrases listed below are defined in the following manner:

(a) “Adverse medical incident” means an event over which the physical therapist could exercise control and which is associated in whole or in part with the performance of dry needling, rather than the condition treated by dry needling, and which resulted results in any of the following:

1. ~~A limitation of neurological, pulmonary, vascular, integumentary, or musculoskeletal function; or~~

2. ~~Any prolonged, unanticipated, and/or emergent neurological, pulmonary, vascular, or musculoskeletal~~ condition that required the transfer of the patient to a hospital and/or referral to a physician for treatment of the resulting condition.

(b) “Supervision” means observation of the dry needling procedure by a ~~qualified~~ physical therapist licensed in any state or the District of Columbia who meets the qualifications for practicing dry needling in the state of Florida and who has a minimum of one year and 25 sessions of experience treating patients using dry needling. The observation may be in person or via synchronous telehealth as defined in s. 456.47, F.S.

(c) “Competency requirements” means proficiency in the subject areas listed in subparagraphs (2)(b)1.a.-e.

(2) The minimum standards of practice for the performance of dry needling by a physical therapist include the following:

(a) No change.

(b) Completion of 50 hours of face-to-face continuing education on the topic of dry needling from an entity accredited in accordance with s. 486.109, F.S.

1. The continuing education must include instruction in the following subject areas:

a. through b. No change.

c. General indications and contraindications for dry needling, as well as to include special complex anatomical and safety considerations of the cranio-facial and peripheral nervous systems for dry needling of the head, neck, and torso, ~~to include specific anatomical application and safety considerations;~~

d. Psychomotor skills needed to perform dry needling, including tissue palpation, needle insertion, and needle extraction; and

e. No change.

2. The continuing education must include a determination by the instructor, who is a licensed physical therapist meeting the qualifications set forth in (1)(b) "Supervision," ~~with a minimum of one year of dry needling experience,~~ that the physical therapist being trained in dry needling demonstrates the requisite competency and psychomotor skills to safely perform dry needling; and

(c) After completing (2)(a) and (b), completion of 25 patient sessions of dry needling under one of the following circumstances:

1. No change.

2. Under the supervision of a physical therapist who ~~has actively practiced dry needling for at least 1 year and~~ holds an active license to practiced physical therapy in any state or the District of Columbia. Such supervisor must document that the supervised therapist has met the supervision and competency requirements and needs no additional supervised sessions to perform dry needling. It is the responsibility of the supervised physical therapist to maintain all documents.

(3) through (6) No change.

Rulemaking Authority 486.025, 486.117 FS. Law Implemented 486.117 FS. History—New

64B17-7.001 Disciplinary Guidelines.

(1) When the Board finds that an applicant or licensee whom it regulates under Chapter 486 or Section 456.47, F.S., has violated the below-listed provisions, it shall issue a final order imposing appropriate penalties for each count or separate offense, as set forth in Section 456.072(2), F.S., within the ranges recommended in the following disciplinary guidelines. As part of a final order imposing appropriate penalties, the Board shall consider requiring an applicant or licensee to attend Board meetings, perform community service, take described continuing education courses, or take and pass the applicable jurisprudence examination. The identification of offenses is descriptive only; the full language of each statutory provision cited must be considered in order to determine the conduct included. For Florida licensees, probation may include specific compliance conditions, and conditions of probation may be required following any period of suspension of license. For out-of-state telehealth registrants, a suspension of practice may include a corrective action plan. A corrective action plan may include continuing education, passage of the Florida laws and rules exam, monitored practice, restricted practice, periodic reports to the Board, an appearance before the Board, restitution, or other corrective action deemed necessary by the Board for the health, safety, and welfare of the public. For Florida applicants, all offenses listed herein are sufficient for refusal to certify an application for licensure. If the Board makes a finding of pecuniary benefit or self-gain related to the violation, then the Board shall require refund of fees billed and collected from the patient or a third party on behalf of the patient. In addition to any other discipline imposed, the Board shall assess the actual costs

related to the investigation and prosecution of a case. In addition to or in lieu of any guideline penalties provided herein, if the violation is for fraud or making a false or fraudulent representation, the Board shall impose a fine of \$10,000 per count or offense.

(a) Section 486.125(1)(a) or 456.072(1)(z), F.S.: Unable to practice with reasonable skill and safety.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine, three (3) years of probation, and referral for a PRN evaluation	\$5,000 fine, suspension for one (1) year followed by up to five (5) years of probation
Second and Subsequent Offenses	\$2,000 fine, five (5) years of probation, and referral for a PRN evaluation	\$10,000 fine and/or revocation
Telehealth Registrants:		
First Offense and Subsequent Offenses	Suspension for a minimum of one year; thereafter continued suspension until the provider can demonstrate to the Board the ability to practice with reasonable skill and safety; a corrective action plan	Revocation

(b) Section 486.125(1)(b): Obtain license or telehealth registration by deceit, or Section 456.072(1)(h): Obtain or renew license or telehealth registration by bribery, fraudulent misrepresentation, or an error of the department or the Board.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense (Deceit/Bribery)	\$500 fine and/or up to two (2) years of probation	\$5,000 fine and/or revocation
Second and Subsequent Offenses (Deceit/Bribery)	\$5,000 fine and/or up to two (2) years of probation	\$7,500 fine and/or revocation
First Offense (Fraudulent Misrepresentation)	\$10,000 fine and six (6) months of probation	\$10,000 fine and revocation
Second and Subsequent Offenses (Fraudulent Misrepresentation)	\$10,000 fine and revocation	\$10,000 fine and revocation
First Offense (Dep't or Board Error)	Letter of concern and/or \$500 fine	Revocation
Second and Subsequent Offenses (Dep't or Board Error)	\$5,000 fine	Revocation
Telehealth Registrants:		
First and Subsequent Offenses (Deceit/Bribery)	Two (2) years suspension with a corrective action plan	Revocation
Second and Subsequent Offenses (Deceit/Bribery)	Three (3) years suspension with a corrective action plan	Revocation
First Offense (Fraudulent	Five (5) years suspension	Revocation

Misrepresentation)	with a corrective action plan	
Second Offense (Fraud Misrepresentation)	Revocation	Revocation
First Offense (Dep't or Board Error)	Letter of Concern	Revocation
Second and Subsequent Offenses (Dep't or Board Error)	Reprimand	Revocation

(c) Section 486.125(1)(c) or 456.072(1)(c), F.S.: Guilty or convicted of a crime that relates to the practice or the ability to practice.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Misdemeanor Offense	\$1,500 fine and six (6) months of probation	\$5,000 fine and a one (1) year suspension with conditions
Second and Subsequent Misdemeanor Offenses	\$2,500 fine and one (1) year of probation	\$10,000 fine and/or revocation
First Felony Offense	\$5,000 fine and two (2) years of probation	\$10,000 fine and/or revocation
Second and Subsequent Felony Offenses	Revocation	Revocation
<u>Telehealth Registrants:</u>		
First Misdemeanor Offense	Six (6) months suspension	Two (2) years suspension with a corrective action plan
Second and Subsequent Misdemeanor Offenses	One (1) year suspension with a corrective action plan	Five (5) year suspension and a corrective action plan
First Felony Offense	Five (5) years suspension with a corrective action plan	Revocation
Second and Subsequent Felony Offenses	Revocation	Revocation

(d) Section 486.125(1)(d), F.S.: Treatment of ailments by means other than physical therapy.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and one (1) year of probation	\$5,000 fine and one (1) year suspension followed by probation
Second and Subsequent Offenses	\$2,000 fine and one (1) year of probation	\$8,000 fine and/or revocation
<u>Telehealth Registrants:</u>		
<u>First Offense</u>	One (1) year suspension with a corrective action plan	Five (5) years suspension with a corrective action plan
Second and Subsequent Offenses	Five (5) years suspension	Revocation

(e) Section 486.125(1)(e) or 456.072(1)(b), F.S.: Failure to maintain acceptable standards of practice as set forth in Board rules.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and letter of	\$6,000 fine and/or two (2)

	concern	years of suspension followed by two (2) years of probation
Second Offense	\$2,000 fine and six (6) months of probation	\$10,000 fine and/or revocation
Telehealth Registrants:		
First Offense	One (1) year suspension with a corrective action plan	Five (5) years suspension with a corrective action plan
Second Offense	Five (5) years suspension with a corrective action plan	Revocation

(f) Section 486.125(1)(f) or 456.072(1)(dd) through a violation of 456.054, F.S.: Engage in unlawful fee splitting or solicitation.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and/or one (1) year of probation	\$8,000 fine and/or revocation
Second and Subsequent Offenses	\$5,000 fine and/or six (6) months suspension	\$10,000 fine and/or revocation
Telehealth Registrants:		
First Offense	Two (2) years suspension with a corrective action plan	Five (5) years suspension with a corrective action plan or revocation
Second and Subsequent Offenses	Five (5) years suspension with a corrective action plan	Revocation

(g) Section 486.125(1)(g) or 456.072(1)(f), F.S.: License acted against in another jurisdiction.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First and Subsequent Offenses	Action consistent with the disciplinary guidelines for the offense that would have been imposed had the violation occurred in the State of Florida	Action consistent with the disciplinary guidelines for the offense that would have been imposed had the violation occurred in the State of Florida
Telehealth Registrants:		
First and Subsequent Offenses	Action consistent with the disciplinary guidelines for the offense that would have been imposed had the violation occurred in the State of Florida	Action consistent with the disciplinary guidelines for the offense that would have been imposed had the violation occurred in the State of Florida

(h) Section 486.125(1)(h) or 456.072(1)(q), F.S.: Violation of an order or subpoena.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and a letter of concern	\$5,000-10,000 fine and/or <u>suspension revocation</u>
Second and Subsequent Offenses	\$5,000 fine and/or two (2) years of probation	\$10,000 fine and/or revocation
Telehealth Registrants:		
First Offense	Six (6) months suspension	Two (2) years suspension

	with a corrective action plan; compliance within 30 days	with a corrective action plan; compliance within 30 days; and/or revocation
Second and Subsequent Offenses	Five (5) years suspension with a corrective action plan; compliance within 30 days	Revocation

(i) Section 486.125(1)(i) or 456.072(1)(l), F.S.: Negligent filing of false report; Willful filing of false report, impeding, or inducing another to file false report.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Negligent Offense	\$1,000 fine	\$5,000 fine and two (2) years of probation
Second Negligent Offense	\$5,000 2,500 fine and a reprimand	\$10,000 fine and/or two (2) years suspension followed by two years of probation
Third and Subsequent Negligent Offenses	\$5,000 fine and/or six (6) months suspension followed by two (2) years of probation	\$10,000 fine and/or revocation
First Willful Offense	\$5,000 fine and/or six (6) months suspension followed by six (6) months of probation	\$10,000 fine and/or Revocation
Second and Subsequent Willful Offenses	\$10,000 fine and/or suspension for two (2) years followed by two years of probation	\$10,000 fine and/or revocation

Telehealth Registrants:		
First Negligent Offense	One (1) month suspension with a corrective action plan	Six (6) months suspension with a corrective action plan
Second Negligent Offense	One (1) year suspension with a corrective action plan	Six (6) months suspension with a corrective action plan
Third and Subsequent Negligent Offenses	Five (5) years suspension with a corrective action plan	Revocation
First Willful Offense	Five (5) years suspension with a corrective action plan	Revocation
Second and Subsequent Willful Offenses	Revocation	Revocation

(j) Section 486.125(1)(j) or 456.072(1)(o), F.S.: Practice or offer to practice beyond the scope permitted or competent to perform.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$2,500 fine and/or one (1) year of probation	\$5,000 10,000 fine and/or two (2) year suspension followed by two (2) years of probation
Second and Subsequent Offenses	\$5,000 fine and/or six (6) months suspension followed by one year of probation	\$10,000 fine and/or revocation
Telehealth Registrants:		

First Offense	One (1) year suspension with a corrective action plan	Five (5) years suspension with a corrective action plan
Second and Subsequent Offenses	Five (5) years suspension with a corrective action plan	Revocation

(k) Section 486.125(1)(k) or 456.072(1)(dd), F.S.: Violation of this chapter, Chapter 456, F.S., or any rules adopted pursuant thereto.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and/or a letter of concern	\$5,000 fine and/or two (2) year suspension followed by two (2) years of probation
Second Offense	\$5,000 fine and/or two (2) years of probation	\$10,000 fine and/or revocation
Subsequent Offenses	\$7,500 fine and/or six (6) months of suspension followed by probation	\$10,000 fine and/or revocation

Telehealth Registrants:		
First Offense	Six (6) months suspension with a corrective action plan	Revocation
Second Offense	Two (2) years suspension with a corrective action plan	Revocation
Subsequent Offenses	Five (5) years suspension with a corrective action plan	Revocation

(l) Section 486.125(1)(b): Commit fraud in the practice of physical therapy, or Section 456.072(1)(a), F.S.: make misleading, deceptive, or fraudulent representations in or related to the practice.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense (Misleading or Deceptive Practice)	\$2,000 fine and six (6) months of probation	\$5,000 fine and/or revocation
Second and Subsequent Offenses (Misleading or Deceptive Practice)	\$5,000 fine and three (3) years probation	\$7,500 fine and revocation
First Offense (Fraudulent Practice)	\$10,000 fine and six (6) months of probation	\$10,000 fine and/or revocation
Second and Subsequent Offenses (Fraudulent Practice)	\$10,000 fine and three (3) years probation	\$10,000 fine and revocation

Telehealth Registrants:		
First Offense (Misleading or Deceptive Practice)	One (1) year suspension with a corrective action plan	Revocation
Second and Subsequent Offenses (Misleading or Deceptive Practice)	Five (5) years suspension with a corrective action plan	Revocation
First Offense (Fraudulent Practice)	Ten (10) years suspension with a corrective action plan	Revocation
Second and Subsequent	Revocation	Revocation

Offenses (Fraudulent Practice)		
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(m) Section 456.072(1)(d), F.S.: Improper use of laser device.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$2,000 fine and/or one (1) year of probation	\$5,000 10,000 fine and/or three (3) years suspension followed by two (2) years of probation
Second and Subsequent Offenses	\$5,000 fine and six (6) months suspension followed by two (2) years of probation	\$10,000 fine and/or revocation

(n) Section 456.072(1)(e), F.S.: Failure to comply with HIV/AIDS course requirement.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offenses	\$1,000 fine, a letter of concern, and completion of the course	\$3,000 fine and/or one (1) year suspension followed by two (2) years of probation, and completion of the course

(o) Section 456.072(1)(g), F.S.: Civil liability found for filing a false report against another licensee.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and a reprimand	\$3,000 fine and/or three (3) years of probation
Second and Subsequent Offenses	\$5,000 2,500 fine and one (1) year of probation	\$10,000 fine and/or revocation
Telehealth Registrants:		
First Offense	One (1) year suspension with a corrective action plan	Three (3) years suspension with a corrective action plan
Second and Subsequent Offenses	Five (5) years suspension with a corrective action plan	Revocation

(p) Section 456.072(1)(i), F.S.: Failure to report health care violator.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$500 fine and letter of concern	\$2,500 fine and/or one (1) year of probation
Second and Subsequent Offenses	\$2,500 fine and six (6) months probation	\$5,000 10,000 fine and/or revocation
Telehealth Registrants:		
First Offense	Six (6) months suspension	One (1) year suspension with a corrective action plan
Second and Subsequent Offenses	Two (2) years suspension with a corrective action plan	Revocation

(q) Section 456.072(1)(j), F.S.: Aiding unlicensed practice.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$2,000 fine and/or one (1) year of suspension	\$5,000 fine and/or revocation
Second and Subsequent	\$7,500 fine and/or one (1)	\$10,000 fine and/or

Offenses	year suspension followed by two (2) years of probation	revocation
Telehealth Registrants:		
First Offense	Two (2) years suspension with a corrective action plan	Five (5) years suspension with a corrective action plan and/or Revocation
Second and Subsequent Offenses	Five (5) years suspension with a corrective action plan	Revocation

(r) Section 456.072(1)(k), F.S.: Failure to perform statutory or legal obligation.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and a letter of concern	\$5,000 7,500 fine and/or one (1) year suspension followed by two (2) years of probation
Second Offense	\$5,000 2,500 fine and six (6) months of probation	\$10,000 fine and/or revocation
Subsequent Offenses	\$7,500 and/or one (1) year suspension followed by two (2) years of probation	\$10,000 fine and/or revocation

Telehealth Registrants:		
First Offense	Six (6) months suspension and fulfillment of statutory or legal obligation within 30 days; corrective action plan	Two (2) years suspension and fulfillment of legal obligation within 30 days; corrective action plan
Second Offense	Three (3) years suspension and fulfillment of statutory or legal obligation within 30 days; corrective action plan	Revocation
Subsequent Offenses	Five (5) years suspension and fulfillment of legal obligation within 30 days; corrective action plan	Revocation

(s) Section 456.072(1)(m), F.S.: Making deceptive, untrue, or fraudulent representations or employing a trick or scheme in any profession.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense (Deceptive, Untrue)	\$2,000 fine and six (6) months of probation	\$5,000 fine and one (1) year suspension followed by two (2) years of probation
Second and Subsequent Offenses (Deceptive, Untrue)	\$5,000 fine and two (2) years probation	\$7,500 fine and revocation
First Offense (Fraudulent Representation)	\$10,000 fine and six (6) months of probation	\$10,000 fine and one (1) year suspension followed by two (2) years of probation
Second and Subsequent Offenses (Fraudulent Representation)	\$10,000 fine and two (2) years of probation	\$10,000 fine and revocation

Telehealth Registrants:		
First Offense (Deceptive, Untrue)	One (1) year suspension with a corrective action plan	Five (5) years suspension with a corrective action plan
Second and Subsequent Offenses (Deceptive, Untrue)	Five (5) years suspension with a corrective action plan	Revocation
First Offense (Fraudulent Representation)	Five (5) years suspension with a corrective action plan	Revocation
Second and Subsequent Offenses (Fraudulent Representation)	Revocation	Revocation

(t) Section 456.072(1)(n), F.S.: Exploit patient for financial gain.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine, six (6) months of probation, and restitution to the patient or patient's family	\$5,000 10,000-fine and/or revocation
Second and Subsequent Offenses	\$5,000 2,500 fine, two (6) years of probation, and restitution to the patient or patient's family	\$10,000 fine and/or revocation

Telehealth Registrants:		
First Offense	Five (5) years suspension with a corrective action plan that includes restitution to the patient or patient's family	Revocation and restitution to the patient or patient's family
Second Offense	Revocation and restitution to the patient or patient's family	Revocation and restitution to the patient or patient's family

(u) Section 456.072(1)(p), F.S.: Improper delegation of professional responsibilities.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and/or six (6) months of probation	\$5,000 fine and three (3) years suspension followed by three (3) years of probation
Second and Subsequent Offenses	\$5,000 fine and/or one (1) year suspension followed by two (2) years of probation	\$10,000 fine and/or revocation

Telehealth Registrants:		
First Offense	One (1) year suspension with a corrective action plan	Five (5) years suspension with a corrective action plan
Second and Subsequent Offenses	Five (5) years suspension with a corrective action plan	Revocation

(v) Section 456.072(1)(r), F.S.: Improper interference with investigation, inspection, or discipline.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and/or one (1) year of probation	\$5,000 10,000-fine and/or revocation
Second and Subsequent	\$5,000 2,500 fine and three	\$10,000 fine and/or

Offenses	(3) months suspension followed by two (2) years of probation	revocation
Telehealth Registrants:		
First Offense	Two (2) years suspension with a corrective action plan	Revocation
Second and Subsequent Offenses	Five (5) years suspension with a corrective action plan	Revocation

(w) Section 456.072(1)(v), F.S.: Sexual misconduct.

<u>Florida Licensees:</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
First Offense	\$5,000 fine, six (6) months of probation, and/or a PRN referral for evaluation	\$10,000 fine and/or revocation
Second and Subsequent Offenses	\$7,500 fine, three (3) years of probation, and a PRN referral for evaluation	\$10,000 fine and/or revocation

Telehealth Registrants:		
First and Subsequent Offenses	Suspension until the provider can demonstrate to the Board the ability to practice with reasonable skill and safety; a corrective action plan	Revocation

(x) Section 456.072(1)(x), F.S.: Failure to comply with 30-day notification to the Board of convictions and nolo pleas.

<u>Florida Licensees:</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
First Offense	\$1,000 fine and/or a letter of concern	\$3,000 and/or one (1) month suspension followed by two (2) years of probation
Second and Subsequent Offenses	\$3,000 fine and two (2) years of probation	\$7,500 10,000 and/or revocation

Telehealth Registrants:		
First Offense	Six (6) months suspension with a corrective action plan	Two (2) years suspension with a corrective action plan
Second Offense	Five (5) years suspension with a corrective action plan	Revocation

(y) Section 456.072(1)(aa): Positive results on a pre-employment or employer ordered drug screening.

<u>Florida Licensees:</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
First Offense	\$1,000 500 fine and two (2) years of probation and/or referral for a PRN evaluation	\$3,000 10,000 fine and one (1) year suspension followed by five (5) years probation
Second and Subsequent Offenses	\$3,000 1,500 fine and two (2) years of probation and/or referral for a PRN evaluation	\$7,500 10,000 fine and/or revocation

Telehealth Registrants:		
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First and Subsequent Offenses	Suspension until the provider can demonstrate to the Board the ability to practice with reasonable skill and safety; a corrective action plan	Revocation
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(z) Section 456.072(1)(bb), F.S.: Wrong patient, site, or unnecessary treatment.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and/or a reprimand	\$3,000 10,000 fine and/or three (3) months suspension followed by three (3) years of probation
Second and Subsequent Offenses	\$3,000 fine and/or one (1) year of probation	\$7,500 10,000 fine and/or revocation
Telehealth Registrants:		
First Offense	Two (2) years suspension with a corrective action plan	Five (5) years suspension with a corrective action plan
Second Offense	Five (5) years suspension with a corrective action plan	Revocation

(aa) Section 456.072(1)(hh), F.S.: Being terminated from or failing to successfully complete an impaired practitioners treatment program.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
Any Offense	Suspension until able to demonstrate before the Board compliance with PRN	Revocation
Telehealth Registrants:		
Any Offense	Suspension until able to demonstrate to the Board compliance with a Board approved professional's assistance program	Revocation

(bb) Section 486.125(1)(k) or Section 456.072(1)(dd) through a violation of 456.036(1), F.S.: Practicing on a delinquent, inactive, or retired status license or registration.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and/or a letter of concern	\$5,000 fine and/or two (2) years suspension followed by two (2) years of probation
Second Offense	\$5,000 fine and/or two (2) years of probation	\$10,000 fine and/or revocation
Subsequent Offenses	\$7,500 fine and/or six (6) months suspension followed by probation	\$10,000 fine and/or revocation
Telehealth Registrants:		
First Offense	Suspension until home state license is clear and active; a corrective action plan	Five (5) additional years suspension with a corrective action plan

Second and Subsequent Offenses	Suspension until home state license is clear and active; a corrective action plan; Five (5) additional years suspension with a corrective action plan	Revocation
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(cc) Section 456.072(1)(t), F.S.: Failing to identify through written notice or orally to a patient the type of license under which the practitioner is practicing.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and a letter of concern	\$5,000 fine and/or one (1) year of probation
Second and Subsequent Offenses	\$5,000 fine and two (2) years of probation	\$10,000 fine and/or revocation
Telehealth Registrants:		
First Offense	One (1) year suspension with a corrective action plan	Five (5) years suspension with a corrective action plan
Second Offense	Two (2) years suspension with a corrective action plan	Revocation

(dd) Section 456.072(1)(ii), F.S.: Being convicted of, or entering a plea of guilty or nolo contendere to, a crime 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.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$5,000 fine, reprimand, and six (6) months of probation	\$10,000 fine and revocation
Second and Subsequent Offenses	\$10,000 fine and revocation	\$10,000 fine and revocation
Telehealth Registrants:		
First Offense	Five (5) years suspension and a corrective action plan	Revocation
Second Offense	Revocation	Revocation

(ee) Section 456.072(1)(jj), F.S.: Failing to return an overpayment from the Medicaid program.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine, reprimand and/or suspension until the Medicaid program is reimbursed in full	\$5,000 10,000 fine and/or revocation
Second and Subsequent Offenses	\$5,000 fine and suspension until the Medicaid program is reimbursed in full	\$10,000 fine and revocation
Telehealth Registrants:		
First Offense	Suspension until the Medicaid program is reimbursed in full plus an additional five (5) years suspension with a corrective action plan	Revocation

Second and Subsequent Offenses	Revocation	Revocation
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(ff) Section 456.072(1)(kk), F.S.: Being terminated from the state Medicaid program pursuant to Section 409.913, F.S.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$ 5,000 ^{4,000} fine and reprimand and/or six (6) months of probation	\$10,000 fine and revocation
Second Offense or Terminated for cause	\$10,000 fine and revocation	\$10,000 fine and revocation
Telehealth Registrants:		
First Offense	Five (5) years suspension with a corrective action plan	Revocation
Second Offense or Terminated for cause	Revocation	Revocation

(gg) Section 456.072(1)(ll), F.S.: Being convicted of, or entering a plea of guilty or nolo contendere to a crime related to health care fraud.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Misdemeanor Offense	\$10,000 fine and/or revocation	\$10,000 fine and revocation
Second Misdemeanor Offense or Felony Offense under Chapters 409 and 817, F.S., 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396	\$10,000 fine and revocation	\$10,000 fine and revocation
Telehealth Registrants:		
First Misdemeanor Offense	Five (5) years suspension with a corrective action plan	Revocation
Second Misdemeanor Offense or Felony Offense under Chapters 409 and 817, F.S., 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396	Ten (10) years suspension with a corrective action plan	Revocation

(hh) Section 456.072(1)(oo), F.S.: Willfully failing to comply with Section 627.6419 or 641.513, F.S., with such frequency as to indicate a general business practice.

<u>Florida Licensees:</u>	MINIMUM	MAXIMUM
First Offense	\$1,000 fine and a reprimand	\$ 2,500 ^{4,000} fine and/or revocation
Second and Subsequent Offenses	\$2,500 fine and/or revocation	\$ 7,500 ^{10,000} fine and/or revocation
Telehealth Registrants:		
First Offense	Two (2) years suspension with a corrective action plan	Five (5) years suspension with a corrective action plan
Second Offense	Five (5) years suspension with a corrective action plan	Revocation

(2) In determining what action is appropriate, the Board shall first consider what sanctions are necessary to protect the public or to compensate the patient. The Board shall then consider mitigating or aggravating circumstances in applying a penalty that is outside of the range provided for in the disciplinary guidelines including:

- (a) The danger to the public;
- (b) The number of distinct charges;
- (c) The actual damage, physical or otherwise, to the patient(s);
- (d) The length of time since the date of the last violation(s);
- (e) The length of time that the licensee has held a license in any jurisdiction;
- (f) The deterrent effect of the penalty imposed;
- (g) Rehabilitation efforts of the licensee including remorse, restitution, and corrective action(s);
- (h) The effect of the penalty on the licensee's livelihood;
- (i) Efforts of the licensee to report or stop violations or the failure of the licensee to correct or stop violations;
- (j) The willfulness and/or negligence of the licensee pertaining to any violation;
- ~~(k) Any other mitigating or aggravating circumstances.~~

Rulemaking Authority 456.036, 456.072, 456.079, 456.47(7), 486.025 FS. Law Implemented 456.072, 456.073, 456.079, 456.47, 486.125 FS. History—New 2-10-87, Formerly 21M-9.023, Amended 8-2-90, 10-14-91, 12-6-92, 3-24-93, Formerly 21MM-7.002, 61F11-7.002, 59Y-7.002, Amended 1-8-98, 8-3-00, 1-2-03, 4-9-06, 2-5-07, 4-5-07, 6-27-07, 6-30-10, 6-18-12, 2-6-17, _____

64B17-7.0027 Procedure for Compliance with Board Ordered Laws and Rules Exam.

Licensees ordered to take and pass the Florida Laws and Rules Examination as a result of a disciplinary proceeding or reinstatement, must file DOH Form #DH-MQA 1144, Final Order / Continuing Education Credit Florida Laws and Rules Application Materials for the Florida Laws and Rules Examination, revised 12/2020 05/15, which is incorporated by reference and available through http://www.flrules.org/Gateway/reference.asp?No=Ref-_____ or www.floridasphysicaltherapy.gov/resources.

Rulemaking Authority 456.036, 456.072, 456.079, 486.025 FS. Law Implemented 456.072, 456.073, 456.079, 486.125 FS. History—New 5-21-09, Amended 8-10-09, 7-14-10, 9-30-15, 2-24-21

64B17-9.001 Continuing Education.

(1) Every person licensed pursuant to chapter 486, F.S., shall be required to complete twenty-four contact hours of continuing education courses approved by the Board in the twenty-four months preceding each biennial renewal period as established by the Department. With the exception of the required courses in the prevention of medical errors and HIV/AIDS, applicants who become licensed in the second half of the biennium are exempt from this continuing education requirement for their first renewal.

(2) A contact hour shall consist of fifty clock minutes. One half contact hour shall consist of twenty-five clock minutes. Ten contact hours, also referred to as CE Hours (CEH), constitute one continuing education unit (CEU). ~~One continuing educational unit (CEU) shall be considered equivalent to ten (10) contact hours.~~

(3) Acceptable subject areas for physical therapy continuing education include professional ethics, clinical education, clinical practice, clinical research, clinical management, clinical science, Florida law relating to physical therapy, basic sciences, risk management, and HIV/AIDS. No

more than five contact hours of courses in risk management shall be accepted within a biennium. Up to three contact hours in HIV/AIDS education pursuant to rule chapter 64B17-8, F.A.C., may be included in the 24 contact hours. Up to three contact hours in prevention of medical errors education pursuant to rule chapter 64B17-8, F.A.C., may be included in the 24 contact hours.

(4) The Board will accept up to twelve contact hours for home study during a biennium. For the biennium ending November 2021 all 24 contact hours of continuing education may be obtained online or through home study.

(5) Course instructors providing continuing education to licensees under this chapter shall receive up to six contact hours credit per biennium. This shall be awarded on a contact hour for each contact hour presented. However, instructors teaching their normal course of instruction shall not be granted contact hours toward their continuing education.

(6) Clinical Instructors shall receive 1 contact hour for every 160 hours of clinical internship limited to a maximum of 6 contact hours per instructor per biennium. Clinical instructors must be credentialed by the American Physical Therapy Association (APTA) to receive clinical continuing education credits.

(7) The Board recognizes ~~approves~~ for continuing education credit for the following:

(a) Courses sponsored by a program in physical therapy at a college or university which provides a curriculum for training physical therapists or physical therapist assistants, when approved by the physical therapy or physical therapist assistants program, which is accredited by, or has status with an accrediting agency approved by the United States Department of Education. One credit hour of a college course is equivalent to 15 contact hours. ~~One credit hour is the equivalent of one contact hour.~~

(b) Courses sponsored or approved by the American Physical Therapy Association.

(c) Courses sponsored or approved by the Florida Physical Therapy Association, so long as they meet the criteria set forth in subsection 64B17-9.001(3), F.A.C.

(d) Attendance at Florida Board meetings where disciplinary cases are being heard if the licensee is not on the agenda or appearing for another purpose. The number of risk management contact hours for such attendance is based on the definition of contact hour as set forth in subsection (2).

(e) Former Board members who serve on the Board's Probable Cause Panel shall receive five contact hours of continuing education risk management credit per biennium for their service on the Panel.

(f) Licensees who file DOH form #DH-MQA 1144, "Final Order / Continuing Education Credit Florida Laws and Rules Application" "~~Application Materials For The Florida Laws and Rules Examination,~~" (revised 12/2020 5/15), incorporated herein by reference, which is available through www.floridasphysicaltherapy.gov/resources, or at http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, and take and pass the Florida laws and rules examination shall receive two (2) hours of continuing education per biennium. The continuing education credit shall be awarded only for the biennium in which the examination was taken and passed. Continuing education credit shall not be awarded to licensees who take and pass the examination as a result of a disciplinary proceeding or as a board ordered condition of initial licensure or reinstatement.

(8) The Board shall make exceptions for licensees from the continuing education requirements including waiver of all or a portion of these requirements or the granting of an extension of time in which to complete these requirements upon a finding of good cause by majority vote of the Board at a public meeting following receipt of a written request for exception based upon emergency or hardship. Emergency or hardship cases are those: (1) involving long term personal illness or illness involving a close relative or person for whom the licensee has care-giving responsibilities; (2) where the licensee can demonstrate that the required course(s) are not

reasonably available; and (3) other demonstrated economic, technological or legal hardships that substantially relate to the ability to perform or complete the continuing education requirements. Licensees requesting an exception from continuing education requirements must provide the Board with documentation supporting the claim of emergency or hardship that is the basis of the request.

(9) The licensee must retain such receipts, vouchers, certificates, or other papers as may be necessary to document completion of the appropriate continuing education offerings listed on the renewal form for a period of not less than four years from the date the offering was taken.

Rulemaking Authority 456.013(6), 486.025, 486.109(5) FS. Law Implemented 456.013(6), 486.109, 486.125(3) FS. History—New 4-6-92, Formerly 21MM-9.001, Amended 3-7-94, Formerly 61F11-9.001, Amended 12-5-95, Formerly 59Y-9.001, Amended 2-14-02, 4-21-02, 1-2-03, 6-28-04, 4-9-06, 5-28-06, 2-17-08, 5-21-09, 8-10-09, 6-30-10, 9-23-10, 12-24-13, 11-23-14, 9-20-15, 10-23-17, 2-24-21