

CS/HB 1143

2012

1 A bill to be entitled  
2 An act relating to licensing of health care  
3 practitioners; amending s. 456.074, F.S.; authorizing  
4 the Department of Health to issue an emergency order  
5 to restrict the license of a health care practitioner  
6 under specified conditions; amending s. 903.046, F.S.;  
7 providing additional criteria that a court may  
8 consider when determining whether to release a  
9 defendant on bail; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Subsection (5) is added to section 456.074,  
14 Florida Statutes, to read:

15 456.074 Certain health care practitioners; immediate  
16 suspension or restriction of license.-

17 (5) The department may issue an emergency order  
18 restricting the license of any health care practitioner as  
19 defined in chapter 458, chapter 459, chapter 461, or chapter 466  
20 from prescribing any controlled substance as defined in chapter  
21 893 if the licensee has committed any act, is arrested for any  
22 act, or is under criminal investigation or criminal prosecution  
23 for any act that is a violation of chapter 782; or is arrested  
24 for any act or is under criminal investigation or criminal  
25 prosecution for any act that relates to the importation,  
26 manufacture, distribution, possession, transfer, sale, improper  
27 use, or prescribing of a controlled substance as defined in  
28 chapter 893, or is in violation of any federal law relating to

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29 the possession, transfer, sale, or prescribing of a controlled  
30 substance as defined in chapter 893 or 21 U.S.C. ss. 801-970.

31 Section 2. Paragraph (m) is added to subsection (2) of  
32 section 903.046, Florida Statutes, to read:

33 903.046 Purpose of and criteria for bail determination.—

34 (2) When determining whether to release a defendant on  
35 bail or other conditions, and what that bail or those conditions  
36 may be, the court shall consider:

37 (m) Whether the suspension of a license or the restriction  
38 on the ability to practice a licensed profession as defined in  
39 s. 456.001 is necessary to protect the community against  
40 unreasonable danger from the criminal defendant.

41 Section 3. This act shall take effect July 1, 2012.