

By Senator Grimsley

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1 A bill to be entitled
 2 An act relating to maintenance of certification or
 3 recertification; creating ss. 458.3113 and 459.0056,
 4 F.S.; providing legislative intent; providing
 5 definitions; prohibiting the Boards of Medicine and
 6 Osteopathic Medicine, respectively, the Department of
 7 Health, certain health care facilities, and insurers
 8 from requiring physicians and osteopathic physicians
 9 to maintain certification or obtain recertification as
 10 a condition of licensure, reimbursement, or admitting
 11 privileges; providing construction; providing an
 12 effective date.

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

16 Section 1. Section 458.3113, Florida Statutes, is created
 17 to read:

18 458.3113 Maintenance of certification or recertification as
 19 condition of licensure, reimbursement, or admitting privileges.-

20 (1) It is the intent of the Legislature to further improve
 21 the efficiency of the health care market and eliminate
 22 unnecessary administrative and regulatory requirements.

23 (2) For purposes of this section, the term:

24 (a) "Maintenance of certification" means a periodic testing
 25 regimen, proprietary self-assessment requirement, peer
 26 evaluation, or other requirement imposed by the Program for
 27 Maintenance of Certification of the American Board of Medical
 28 Specialties and its member boards, or by any recognizing agency
 29 approved by the board pursuant to rule, on any board-certified

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30 specialty or subspecialty.

31 (b) "Recertification" means a subsequent recognition or
32 certification of educational or scholarly achievement beyond
33 initial board certification imposed by the Program for
34 Maintenance of Certification of the American Board of Medical
35 Specialties and its member boards, or by any recognizing agency
36 approved by the board pursuant to rule, on any board-certified
37 specialty or subspecialty.

38 (3) Notwithstanding any other provision of law, the board,
39 the department, a health care facility licensed under chapter
40 395, or an insurer as defined in s. 624.03 may not require
41 maintenance of certification or recertification as a condition
42 of licensure, reimbursement, or admitting privileges for a
43 physician who practices medicine and has achieved initial board
44 certification in a specialty or subspecialty in accordance with
45 this chapter.

46 (4) This section may not be construed to prohibit the board
47 from requiring continuing medical education.

48 Section 2. Section 459.0056, Florida Statutes, is created
49 to read:

50 459.0056 Maintenance of certification or recertification as
51 condition of licensure, reimbursement, or admitting privileges.-

52 (1) It is the intent of the Legislature to further improve
53 the efficiency of the health care market and eliminate
54 unnecessary administrative and regulatory requirements.

55 (2) For purposes of this section, the term:

56 (a) "Osteopathic continuous certification" means a periodic
57 testing regimen, proprietary self-assessment requirement, peer
58 evaluation, or other requirement imposed by the Osteopathic

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59 Continuous Certification program of the American Osteopathic
60 Association and its specialty boards, or by any recognizing
61 agency approved by the board pursuant to rule, on any board-
62 certified specialty or subspecialty.

63 (b) "Recertification" means a subsequent recognition or
64 certification of educational or scholarly achievement beyond
65 initial board certification imposed by the Bureau of Osteopathic
66 Specialists of the American Osteopathic Association and its
67 specialty boards, or by any recognizing agency approved by the
68 board pursuant to rule, on any board-certified specialty or
69 subspecialty.

70 (3) Notwithstanding any other provision of law, the board,
71 the department, a health care facility licensed under chapter
72 395, or an insurer as defined in s. 624.03 may not require
73 osteopathic continuous certification or recertification as a
74 condition of licensure, reimbursement, or admitting privileges
75 for an osteopathic physician who practices medicine and has
76 achieved initial board certification in a specialty or
77 subspecialty in accordance with this chapter.

78 (4) This section may not be construed to prohibit the board
79 from requiring continuing medical education.

80 Section 3. This act shall take effect July 1, 2018.