

By Senator McKay

26-1221-98

See HB

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A bill to be entitled
An act relating to medical practice; creating
s. 458.351, F.S.; requiring licensure of any
physician, wherever located, who has primary
authority over the care or diagnosis of a
patient located in this state; providing an
exception; providing applicability with respect
to transmission of radiographic images;
providing an effective date.

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

Section 1. Section 458.351, Florida Statutes, is
created to read:

458.351 Telemedicine; licensure required;
exception.--In addition to any other provision of this chapter
defining or otherwise regulating the practice of medicine, any
physician, wherever located, who has primary authority over
the care or diagnosis of a patient located in this state is
practicing medicine in this state and shall be subject to
licensure as required by this chapter. A physician lawfully
licensed in another state or territory of the United States or
in a foreign country who engages in consultation with a
physician duly licensed in this state and does not exercise
primary authority over the patient's care and diagnosis is
exempt from licensure, as provided in s. 458.303(1)(b). In the
case of electronic transmission of radiographic images, a
physician who provides, through an ongoing regular
arrangement, official authenticated interpretations of
radiographic images to any health care practitioner or patient
located in this state shall be regarded as exercising primary

1 authority over the diagnosis of the involved patient and
2 subject to licensure as required by this chapter.

3 Section 2. This act shall take effect January 1, 1999.

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6 LEGISLATIVE SUMMARY

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8 Requires licensure of any physician, wherever located,
9 who has primary authority over the care or diagnosis of a
10 patient located in this state. Exempts any nonresident
11 physician who consults with a physician licensed in this
12 state and does not exercise such authority. Provides that
13 any physician who provides, through an ongoing regular
14 arrangement, official authenticated interpretations of
15 radiographic images to any health care practitioner or
16 patient located in this state shall be regarded as
17 exercising such authority and therefore is subject to
18 licensure.

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