

By Representative Bloom

1 A bill to be entitled
2 An act relating to medical practitioners;
3 requiring physicians, osteopathic physicians,
4 podiatrists, and chiropractors to furnish
5 specified biographical and other data to the
6 Department of Health; requiring the department
7 to verify certain of the information and
8 compile the information submitted and other
9 public record information into a practitioner
10 profile of each licensee and to make the
11 profiles available to the public; providing for
12 rules; providing duties of practitioners to
13 update information and duties of the department
14 to update profiles; providing for retention of
15 information in superseded profiles; amending
16 ss. 458.311, 458.313, 458.319, F.S.; requiring
17 applicants for licensure or relicensure as
18 physicians to submit information, fingerprints,
19 and fees; providing for citations to, and fines
20 of, certain practitioners; amending ss.
21 459.0055, 459.008, F.S.; requiring applicants
22 for licensure or relicensure as osteopathic
23 physicians to submit information, fingerprints,
24 and fees; providing for citations to, and fines
25 of, certain practitioners; amending ss.
26 460.406, 460.407, F.S.; requiring applicants
27 for licensure or relicensure as chiropractors
28 to submit information, fingerprints, and fees;
29 providing for citations to, and fines of,
30 certain practitioners; amending ss. 461.006,
31 461.007, F.S.; requiring applicants for

1 licensure or relicensure as podiatrists to
2 submit information, fingerprints, and fees;
3 providing for citations to, and fines of,
4 certain practitioners; amending s. 455.225,
5 F.S.; providing legislative intent; revising
6 procedures to discipline professionals;
7 requiring the Agency for Health Care
8 Administration or appropriate regulatory boards
9 to establish plans to resolve incomplete
10 investigations or disciplinary proceedings;
11 requiring the agency to issue an emergency
12 order suspending the license of a physician or
13 osteopathic physician for certain violations;
14 amending s. 455.2285, F.S.; requiring
15 additional information in the annual report by
16 the department and by the agency; creating s.
17 455.2478, F.S.; providing that reports on
18 professional liability actions and information
19 relating to bankruptcy proceedings of specified
20 health care practitioners which are in the
21 possession of the Department of Health are
22 public records; requiring the department to
23 make such information available to persons who
24 request it; amending s. 627.912, F.S.;
25 providing for insurer reporting of professional
26 liability claims and actions; revising the
27 timeframe for reporting; providing penalties;
28 providing for a toll-free telephone number for
29 reporting complaints relating to medical care;
30 providing applicability; providing an effective
31 date.

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

2
3 Section 1. (1) Each person who applies for initial
4 licensure under chapter 458, chapter 459, chapter 460, or
5 chapter 461, Florida Statutes, must, at the time of
6 application, and each person who applies for license renewal
7 under chapter 458, chapter 459, chapter 460, or chapter 461,
8 Florida Statutes, must, in conjunction with the renewal of
9 such license and under procedures adopted by the Department of
10 Health, and in addition to any other information that may be
11 required from the applicant, furnish the following information
12 to the Department of Health:

13 (a)1. The name of each medical school that the
14 applicant has attended, with the dates of attendance and the
15 date of graduation, and a description of all graduate medical
16 education completed by the applicant, excluding any coursework
17 taken to satisfy medical licensure continuing education
18 requirements.

19 2. The name of each hospital at which the applicant
20 has privileges.

21 3. The address at which the applicant will primarily
22 conduct his or her practice.

23 4. Any certification that the applicant has received
24 from a specialty board that is recognized by the board to
25 which the applicant is applying.

26 5. The number of years the applicant has practiced, if
27 the applicant has practiced in another jurisdiction or in a
28 foreign country or has previously practiced in this state.

29 6. Any appointment to the faculty of a medical school
30 which the applicant currently holds and an indication as to
31

1 whether the applicant has had the responsibility for graduate
2 medical education within the most recent 10 years.

3 7. A description of any criminal offense for which the
4 applicant has been found guilty, regardless of whether
5 adjudication of guilt was withheld, or to which the applicant
6 has pled guilty or nolo contendere. A criminal offense
7 committed in another jurisdiction that would have been a
8 felony or misdemeanor if committed in this state must be
9 reported. If the applicant indicates that a criminal offense
10 is under appeal and submits a copy of the notice for appeal of
11 that criminal offense, the department must state that the
12 criminal offense is under appeal if the criminal offense is
13 reported in the applicant's profile. If the applicant
14 indicates to the department that a criminal offense is under
15 appeal, the applicant must, upon disposition of the appeal,
16 submit to the department a copy of the final written order of
17 disposition.

18 8. A description of any final disciplinary action
19 taken within the previous 10 years against the applicant by
20 the agency regulating the profession that the applicant is or
21 has been licensed to practice, whether in this state or in any
22 other jurisdiction, by a specialty board that is recognized by
23 the American Board of Medical Specialities, the American
24 Osteopathic Association, or a similar national organization,
25 or by a licensed hospital, health maintenance organization,
26 prepaid health clinic, ambulatory surgical center, or nursing
27 home. Disciplinary action includes resignation from or
28 nonrenewal of medical staff membership or the restriction of
29 privileges at a licensed hospital, health maintenance
30 organization, prepaid health clinic, ambulatory surgical
31 center, or nursing home taken in lieu of or in settlement of a

1 pending disciplinary case related to competence or character.
2 If the applicant indicates that the disciplinary action is
3 under appeal and submits a copy of the document initiating an
4 appeal of the disciplinary action, the department must state
5 that the disciplinary action is under appeal if the
6 disciplinary action is reported in the applicant's profile.

7 (b) In addition to the information required under
8 paragraph (a), each applicant who seeks licensure under
9 chapter 458, chapter 459, or chapter 461, Florida Statutes,
10 and who has practiced previously in this state or in another
11 jurisdiction or a foreign country must provide the information
12 required of licensees under those chapters pursuant to section
13 455.247, Florida Statutes. An applicant for licensure under
14 chapter 460, Florida Statutes, who has practiced previously in
15 this state or in another jurisdiction or a foreign country
16 must provide the same information as is required of licensees
17 under chapter 458, Florida Statutes, pursuant to section
18 455.247, Florida Statutes.

19 (2) Before the issuance of the licensure renewal
20 notice required by section 455.273, Florida Statutes, the
21 Department of Health shall send a notice to each person
22 licensed under chapter 458, chapter 459, chapter 460, or
23 chapter 461, Florida Statutes, at the licensee's last known
24 address of record with the department, regarding the
25 requirements for information to be submitted by those
26 practitioners pursuant to this section in conjunction with the
27 renewal of such license and under procedures adopted by the
28 department.

29 (3) Each person who has submitted information pursuant
30 to subsection (1) must update that information in writing by
31 notifying the Department of Health within 45 days after the

1 occurrence of an event or the attainment of a status that is
2 required to be reported by subsection (1). Failure to comply
3 with the requirements of this subsection to update and submit
4 information constitutes a ground for disciplinary action under
5 each respective licensing chapter and section 455.227(1)(k),
6 Florida Statutes.

7 (4)(a) An applicant for initial licensure must submit
8 a set of fingerprints to the Department of Health in
9 accordance with section 458.311, section 458.313, section
10 459.0055, section 460.406, or section 461.006, Florida
11 Statutes.

12 (b) An applicant for renewed licensure must submit a
13 set of fingerprints for the initial renewal of his or her
14 license after the effective date of this act to the agency
15 regulating that profession in accordance with procedures
16 established under section 458.319, section 459.008, section
17 460.407, or section 461.007, Florida Statutes.

18 (c) The Department of Health shall submit the
19 fingerprints provided by an applicant for initial licensure to
20 the Florida Department of Law Enforcement for a statewide
21 criminal history check, and the Florida Department of Law
22 Enforcement shall forward the fingerprints to the Federal
23 Bureau of Investigation for a national criminal history check
24 of the applicant. The department shall submit the fingerprints
25 provided by an applicant for a renewed license to the Florida
26 Department of Law Enforcement for a statewide criminal history
27 check, and the Florida Department of Law Enforcement shall
28 forward the fingerprints to the Federal Bureau of
29 Investigation for a national criminal history check for the
30 initial renewal of the applicant's license following the
31 effective date of this act; for any subsequent renewal of the

1 applicant's license the department shall submit the required
2 information for a statewide criminal history check of the
3 applicant.

4 (5) Each person who is required to submit information
5 pursuant to this section may submit additional information.
6 Such information may include, but is not limited to:

7 (a) Information regarding publications in
8 peer-reviewed medical literature within the previous 10 years.

9 (b) Information regarding professional or
10 community-service activities or awards.

11 (c) Languages, other than English, used by the
12 applicant to communicate with patients and identification of
13 any translating service that may be available at the place
14 where the applicant primarily conducts his or her practice.

15 (d) An indication of whether the person participates
16 in the Medicaid program.

17 Section 2. (1) Beginning July 1, 1999, the Department
18 of Health shall compile the information submitted pursuant to
19 section 1 into a practitioner profile of the applicant
20 submitting the information, except that the Department of
21 Health may develop a format to compile uniformly any
22 information submitted under paragraph 1(4)(b).

23 (2) On the profile required under subsection (1), the
24 department shall indicate if the information provided under
25 section 1(1)(a)7. is not corroborated by a criminal history
26 check conducted according to this subsection. If the
27 information provided under section 1(1)(a)7. is corroborated
28 by the criminal history check, the fact that the criminal
29 history check was performed need not be indicated on the
30 profile. The department, or the board having regulatory
31 authority over the practitioner acting on behalf of the

1 department, shall investigate any information received by the
2 department or the board when it has reasonable grounds to
3 believe that the practitioner has violated any law that
4 relates to the practitioner's practice.

5 (3) The Department of Health may include in each
6 practitioner's practitioner profile that criminal information
7 that directly relates to the practitioner's ability to
8 competently practice his or her profession. The department
9 must include in each practitioner's practitioner profile the
10 following statement: "The criminal history information, if
11 any exists, may be incomplete; federal criminal history
12 information is not available to the public."

13 (4) The Department of Health shall include, with
14 respect to a practitioner licensed under chapter 458 or
15 chapter 459, Florida Statutes, a statement of how the
16 practitioner has elected to comply with the financial
17 responsibility requirements of section 458.320 or section
18 459.0085, Florida Statutes. The department shall include, with
19 respect to practitioners licensed under chapter 458, chapter
20 459, or chapter 461, Florida Statutes, information relating to
21 liability actions which has been reported under section
22 455.247 or section 627.912, Florida Statutes. Such claims
23 information shall be reported in the context of comparing an
24 individual practitioner's claims to the experience of other
25 physicians within the same specialty to the extent such
26 information is available to the Department of Health. If
27 information relating to a liability action is included in a
28 practitioner's practitioner profile, the profile must also
29 include the following statement: "Settlement of a claim may
30 occur for a variety of reasons that do not necessarily reflect
31 negatively on the professional competence or conduct of the

1 physician. A payment in settlement of a medical malpractice
2 action or claim should not be construed as creating a
3 presumption that medical malpractice has occurred."

4 (5) The Department of Health may include in the
5 practitioner's practitioner profile any other information that
6 is a public record of any governmental entity and that relates
7 to a practitioner's ability to competently practice his or her
8 profession. However, the department must consult with the
9 board having regulatory authority over the practitioner before
10 such information is included in his or her profile.

11 (6) Upon the completion of a practitioner profile
12 under this section, the Department of Health shall furnish the
13 practitioner who is the subject of the profile a copy of it.
14 The practitioner has a period of 30 days in which to review
15 the profile and to correct any factual inaccuracies in it.
16 The Department of Health shall make the profile available to
17 the public at the end of the 30-day period. The department
18 shall make the profiles available to the public through the
19 World Wide Web and other commonly used means of distribution.

20 (7) Making a practitioner profile available to the
21 public under this section does not constitute agency action
22 for which a hearing under section 120.57, Florida Statutes,
23 may be sought.

24 Section 3. The Department of Health shall update each
25 practitioner's practitioner profile periodically. An updated
26 profile is subject to the same requirements as an original
27 profile with respect to the period within which the
28 practitioner may review the profile for the purpose of
29 correcting factual inaccuracies.

30 Section 4. Effective upon this act becoming a law, the
31 Department of Health must develop or contract for a computer

1 system to accommodate the new data collection and storage
2 requirements under this act pending the development and
3 operation of a computer system by the Department of Health for
4 handling the collection, input, revision, and update of data
5 submitted by physicians as a part of their initial licensure
6 or renewal to be compiled into individual practitioner
7 profiles. The Department of Health must incorporate any data
8 required by this act into the computer system used in
9 conjunction with the regulation of health care professions
10 under its jurisdiction. The department must develop, by the
11 year 2000, a schedule and procedures for each practitioner
12 within a health care profession regulated within the Division
13 of Medical Quality Assurance to submit relevant information to
14 be compiled into a profile to be made available to the public.
15 The Department of Health is authorized to contract with and
16 negotiate any interagency agreement necessary to develop and
17 implement the practitioner profiles. The Department of Health
18 shall have access to any information or record maintained by
19 the Agency for Health Care Administration, including any
20 information or record that is otherwise confidential and
21 exempt from the provisions of chapter 119, Florida Statutes,
22 and Section 24(a), Article I of the State Constitution, so
23 that the Department of Health may corroborate any information
24 that physicians are required to report under section 1 of this
25 act.

26 Section 5. Effective upon this act becoming a law, the
27 Department of Health may adopt rules for the form of a
28 practitioner profile that the agency is required to prepare.
29 An agency to which information is to be submitted under this
30 act may adopt by rule a form for the submission of the
31 information required under section 1.

1 Section 6. Information in superseded practitioner
2 profiles must be maintained by the Department of Health, in
3 accordance with general law and the rules of the Department of
4 State.

5 Section 7. Paragraph (g) is added to subsection (1) of
6 section 458.311, Florida Statutes, 1996 Supplement, to read:

7 458.311 Licensure by examination; requirements;
8 fees.--

9 (1) Any person desiring to be licensed as a physician
10 shall apply to the department to take the licensure
11 examination. The department shall examine each applicant whom
12 the board certifies:

13 (g) Has submitted to the department a set of
14 fingerprints on a form and under procedures specified by the
15 department, along with a payment in an amount equal to the
16 costs incurred by the Department of Health for the criminal
17 background check of the applicant.

18 Section 8. Subsection (1) of section 458.313, Florida
19 Statutes, 1996 Supplement, is amended to read:

20 458.313 Licensure by endorsement; requirements;
21 fees.--

22 (1) The department shall issue a license by
23 endorsement to any applicant who, upon applying to the
24 department and remitting a fee not to exceed \$500 set by the
25 board, demonstrates to the board that he:

26 (a) Has met the qualifications for licensure in s.
27 458.311(1)(b)-(g)~~s. 458.311(1)(b)-(f)~~;

28 (b) Has obtained a passing score, as established by
29 rule of the board, on the licensure examination of the
30 Federation of State Medical Boards of the United States, Inc.
31 (FLEX), the United States Medical Licensing Examination

1 (USMLE), or the examination of the National Board of Medical
2 Examiners, or on a combination thereof, provided that said
3 examination or combination of examinations required shall have
4 been so taken within the 10 years immediately preceding the
5 filing of his application for licensure under this section;
6 and

7 (c) Shows evidence of the active licensed practice of
8 medicine in another jurisdiction, for at least 2 of the
9 immediately preceding 4 years, or completion of board-approved
10 postgraduate training within the year preceding the filing of
11 an application for licensure.

12 Section 9. Subsection (1) of section 458.319, Florida
13 Statutes, is amended to read:

14 458.319 Renewal of license.--

15 (1) The department shall renew a license upon receipt
16 of the renewal application, evidence that the applicant has
17 actively practiced medicine or has been on the active teaching
18 faculty of an accredited medical school within the previous 4
19 years, and a fee not to exceed \$500; provided, however, that
20 if the licensee is either a resident physician, assistant
21 resident physician, fellow, house physician, or intern in an
22 approved postgraduate training program, as defined by the
23 board by rule, the fee shall not exceed \$100 per annum. If
24 the licensee has not actively practiced medicine within the
25 previous 4 years, the board shall require that the licensee
26 successfully complete a board-approved clinical competency
27 examination prior to renewal of the license. "Actively
28 practiced medicine" means that practice of medicine by
29 physicians, including those employed by any governmental
30 entity in community or public health, as defined by this
31 chapter, including physicians practicing administrative

1 medicine. An applicant for a renewed license must also submit
2 the information required under section 1 and a set of
3 fingerprints to the department on a form and under procedures
4 specified by the department, along with payment in an amount
5 equal to the costs incurred by the Department of Health for
6 the criminal background check of the applicant for the initial
7 renewal of his or her license after the effective date of this
8 act. If the applicant fails to submit the information required
9 under section 1 and a set of fingerprints to the department,
10 the department shall issue a notice of noncompliance, and the
11 applicant will be given 30 additional days to comply. If the
12 applicant fails to comply within 30 days after the notice of
13 noncompliance is issued, the department or board, as
14 appropriate, may issue a citation to the applicant and may
15 fine the applicant up to \$50 for each day that the applicant
16 is not in compliance with the requirements of section 1 of
17 this act. The citation must clearly state that the applicant
18 may choose, in lieu of accepting the citation, to follow the
19 procedure under s. 455.225. If the applicant disputes the
20 matter in the citation, the procedures set forth in s. 455.225
21 must be followed. However, if the applicant does not dispute
22 the matter in the citation with the department within 30 days
23 after the citation is served, the citation becomes a final
24 order and constitutes discipline. Service of a citation may be
25 made by personal service or certified mail, restricted
26 delivery, to the subject at the applicant's last known
27 address. If an applicant has submitted fingerprints to the
28 department for a national criminal history check upon initial
29 licensure and is renewing his or her license for the first
30 time, then the applicant need only submit the information and
31 fee required for a statewide criminal history check.

1 Section 10. Subsection (1) of section 459.0055,
2 Florida Statutes, 1996 Supplement, is amended to read:

3 459.0055 General licensure requirements.--

4 (1) Except as otherwise provided herein, any person
5 desiring to be licensed or certified as an osteopathic
6 physician pursuant to this chapter shall:

7 (a) Complete an application form and submit the
8 appropriate fee to the department;

9 (b) Be at least 21 years of age;

10 (c) Be of good moral character;

11 (d) Have completed at least 3 years of preprofessional
12 postsecondary education;

13 (e) Have not previously committed any act which would
14 constitute a violation of this chapter, unless the board
15 determines that such act does not adversely affect the
16 applicant's present ability and fitness to practice
17 osteopathic medicine;

18 (f) Not be under investigation in any jurisdiction for
19 an act which would constitute a violation of this chapter.
20 If, upon completion of such investigation, it is determined
21 that the applicant has committed an act which would constitute
22 a violation of this chapter, the applicant shall be ineligible
23 for licensure unless the board determines that such act does
24 not adversely affect the applicant's present ability and
25 fitness to practice osteopathic medicine;

26 (g) Have not had an application for a license to
27 practice osteopathic medicine denied or a license to practice
28 osteopathic medicine revoked, suspended, or otherwise acted
29 against by the licensing authority of any jurisdiction unless
30 the board determines that the grounds on which such action was
31 taken do not adversely affect the applicant's present ability

1 and fitness to practice osteopathic medicine. A licensing
2 authority's acceptance of a physician's relinquishment of
3 license, stipulation, consent order, or other settlement,
4 offered in response to or in anticipation of the filing of
5 administrative charges against the osteopathic physician,
6 shall be considered action against the osteopathic physician's
7 license;

8 (h) Have met the criteria set forth in s. 459.006, s.
9 459.007, s. 459.0075, s. 459.0077, or s. 459.021, whichever is
10 applicable;—

11 (i) Submit to the department a set of fingerprints on
12 a form and under procedures specified by the department, along
13 with a payment in an amount equal to the costs incurred by the
14 Department of Health for the criminal background check of the
15 applicant.

16 Section 11. Subsection (1) of section 459.008, Florida
17 Statutes, is amended to read:

18 459.008 Renewal of licenses and certificates.--

19 (1) The department shall renew a license or
20 certificate upon receipt of the renewal application and fee.
21 An applicant for a renewed license must also submit the
22 information required under section 1 and a set of fingerprints
23 to the department on a form and under procedures specified by
24 the department, along with payment in an amount equal to the
25 costs incurred by the Department of Health for the criminal
26 background check of the applicant for the initial renewal of
27 his or her license after the effective date of this act. If
28 the applicant fails to submit the information required under
29 section 1 and a set of fingerprints to the department, the
30 department shall issue a notice of noncompliance, and the
31 applicant will be given 30 additional days to comply. If the

1 applicant fails to comply within 30 days after the notice of
2 noncompliance is issued, the department or board, as
3 appropriate, may issue a citation to the applicant and may
4 fine the applicant up to \$50 for each day that the applicant
5 is not in compliance with the requirements of section 1 of
6 this act. The citation must clearly state that the applicant
7 may choose, in lieu of accepting the citation, to follow the
8 procedure under s. 455.225. If the applicant disputes the
9 matter in the citation, the procedures set forth in s. 455.225
10 must be followed. However, if the applicant does not dispute
11 the matter in the citation with the department within 30 days
12 after the citation is served, the citation becomes a final
13 order and constitutes discipline. Service of a citation may be
14 made by personal service or certified mail, restricted
15 delivery, to the subject at the applicant's last known
16 address. If an applicant has submitted fingerprints to the
17 department for a national criminal history check upon initial
18 licensure and is renewing his or her license for the first
19 time, then the applicant need only submit the information and
20 fee required for a statewide criminal history check.

21 Section 12. Paragraph (g) is added to subsection (1)
22 of section 460.406, Florida Statutes, 1996 Supplement, to
23 read:

24 460.406 Licensure by examination.--

25 (1) Any person desiring to be licensed as a
26 chiropractic physician shall apply to the department to take
27 the licensure examination. There shall be an application fee
28 set by the board not to exceed \$100 which shall be
29 nonrefundable. There shall also be an examination fee not to
30 exceed \$500 plus the actual per applicant cost to the
31 department for purchase of portions of the examination from

1 the National Board of Chiropractic Examiners or a similar
2 national organization, which may be refundable if the
3 applicant is found ineligible to take the examination. The
4 department shall examine each applicant who the board
5 certifies has:

6 (g) Submitted to the department a set of fingerprints
7 on a form and under procedures specified by the department,
8 along with payment in an amount equal to the costs incurred by
9 the Department of Health for the criminal background check of
10 the applicant.

11 Section 13. Subsection (1) of section 460.407, Florida
12 Statutes, is amended to read:

13 460.407 Renewal of license.--

14 (1) The department shall renew a license upon receipt
15 of the renewal application and the fee set by the board not to
16 exceed \$500. An applicant for a renewed license must also
17 submit the information required under section 1 and a set of
18 fingerprints to the department on a form and under procedures
19 specified by the department, along with payment in an amount
20 equal to the costs incurred by the Department of Health for
21 the criminal background check of the applicant for the initial
22 renewal of his or her license after the effective date of this
23 act. If the applicant fails to submit the information required
24 under section 1 and a set of fingerprints to the department,
25 the department shall issue a notice of noncompliance, and the
26 applicant will be given 30 additional days to comply. If the
27 applicant fails to comply within 30 days after the notice of
28 noncompliance is issued, the department or board, as
29 appropriate, may issue a citation to the applicant and may
30 fine the applicant up to \$50 for each day that the applicant
31 is not in compliance with the requirements of section 1 of

1 this act. The citation must clearly state that the applicant
2 may choose, in lieu of accepting the citation, to follow the
3 procedure under s. 455.225. If the applicant disputes the
4 matter in the citation, the procedures set forth in s. 455.225
5 must be followed. However, if the applicant does not dispute
6 the matter in the citation with the department within 30 days
7 after the citation is served, the citation becomes a final
8 order and constitutes discipline. Service of a citation may be
9 made by personal service or certified mail, restricted
10 delivery, to the subject at the applicant's last known
11 address. If an applicant has submitted fingerprints to the
12 department for a national criminal history check upon initial
13 licensure and is renewing his or her license for the first
14 time, then the applicant need only submit the information and
15 fee required for a statewide criminal history check.

16 Section 14. Paragraph (f) is added to subsection (1)
17 of section 461.006, Florida Statutes, to read:

18 461.006 Licensure by examination.--

19 (1) Any person desiring to be licensed as a podiatrist
20 shall apply to the department to take the licensure
21 examination. The department shall examine each applicant who
22 the board certifies:

23 (f) Has submitted to the department a set of
24 fingerprints on a form and under procedures specified by the
25 department, along with payment in an amount equal to the costs
26 incurred by the Department of Health for the criminal
27 background check of the applicant.

28 Section 15. Subsection (1) of section 461.007, Florida
29 Statutes, is amended to read:

30 461.007 Renewal of license.--

31

1 (1) The department shall renew a license upon receipt
2 of the renewal application and a fee not to exceed \$350 set by
3 the board. An applicant for a renewed license must also submit
4 the information required under section 1 and a set of
5 fingerprints to the department on a form and under procedures
6 specified by the department, along with payment in an amount
7 equal to the costs incurred by the Department of Health for
8 the criminal background check of the applicant for the initial
9 renewal of his or her license after the effective date of this
10 act. If the applicant fails to submit the information required
11 under section 1 and a set of fingerprints to the department,
12 the department shall issue a notice of noncompliance, and the
13 applicant will be given 30 additional days to comply. If the
14 applicant fails to comply within 30 days after the notice of
15 noncompliance is issued, the department or board, as
16 appropriate, may issue a citation to the applicant and may
17 fine the applicant up to \$50 for each day that the applicant
18 is not in compliance with the requirements of section 1 of
19 this act. The citation must clearly state that the applicant
20 may choose, in lieu of accepting the citation, to follow the
21 procedure under s. 455.225. If the applicant disputes the
22 matter in the citation, the procedures set forth in s. 455.225
23 must be followed. However, if the applicant does not dispute
24 the matter in the citation with the department within 30 days
25 after the citation is served, the citation becomes a final
26 order and constitutes discipline. Service of a citation may be
27 made by personal service or certified mail, restricted
28 delivery, to the subject at the applicant's last known
29 address. If an applicant has submitted fingerprints to the
30 department for a national criminal history check upon initial
31 licensure and is renewing his or her license for the first

1 time, then the applicant need only submit the information and
2 fee required for a statewide criminal history check.

3 Section 16. Section 455.225, Florida Statutes, 1996
4 Supplement, is amended to read:

5 455.225 Disciplinary proceedings.--Disciplinary
6 proceedings for each board shall be within the jurisdiction of
7 the department or the Agency for Health Care Administration,
8 as appropriate.

9 (1)(a) The department or the Agency for Health Care
10 Administration, for the boards under their respective
11 jurisdictions, shall cause to be investigated any complaint
12 that is filed before it if the complaint is in writing, signed
13 by the complainant, and legally sufficient. A complaint is
14 legally sufficient if it contains ultimate facts that show
15 that a violation of this chapter, of any of the practice acts
16 relating to the professions regulated by the department or the
17 agency, or of any rule adopted by the department, the agency,
18 or a regulatory board in the department or the agency has
19 occurred. In order to determine legal sufficiency, the
20 department or the agency may require supporting information or
21 documentation. The department or the agency may investigate,
22 and the department, the agency, or the appropriate board may
23 take appropriate final action on, a complaint even though the
24 original complainant withdraws it or otherwise indicates a
25 desire not to cause the complaint to be investigated or
26 prosecuted to completion. The department or the agency may
27 investigate an anonymous complaint if the complaint is in
28 writing and is legally sufficient, if the alleged violation of
29 law or rules is substantial, and if the department or the
30 agency has reason to believe, after preliminary inquiry, that
31 the alleged violations in the complaint are true. The

1 department or the agency may investigate a complaint made by a
2 confidential informant if the complaint is legally sufficient,
3 if the alleged violation of law or rule is substantial, and if
4 the department or the agency has reason to believe, after
5 preliminary inquiry, that the allegations of the complainant
6 are true. The department or the agency may initiate an
7 investigation if it has reasonable cause to believe that a
8 licensee or a group of licensees has violated a Florida
9 statute, a rule of the department, a rule of the agency, or a
10 rule of a board.

11 (b) Except as provided in ss. 458.331(9), 459.015(9),
12 460.413(5), and 461.013(6), when an investigation of any
13 subject is undertaken, the department or the agency shall
14 promptly furnish to the subject or the subject's attorney a
15 copy of the complaint or document that resulted in the
16 initiation of the investigation. The subject may submit a
17 written response to the information contained in such
18 complaint or document within 20 days after service to the
19 subject of the complaint or document. The subject's written
20 response shall be considered by the probable cause panel. The
21 right to respond does not prohibit the issuance of a summary
22 emergency order if necessary to protect the public. However,
23 if the secretary, or the secretary's designee, and the
24 chairman of the respective board or the chairman of its
25 probable cause panel agree in writing that such notification
26 would be detrimental to the investigation, the department or
27 the agency may withhold notification. The department or the
28 agency may conduct an investigation without notification to
29 any subject if the act under investigation is a criminal
30 offense.

31

1 (2) The department and the Agency for Health Care
2 Administration shall allocate sufficient and adequately
3 trained staff to expeditiously and thoroughly determine legal
4 sufficiency and investigate all legally sufficient complaints.
5 For purposes of this section, it is the intent of the
6 Legislature that the term "expeditiously" means that the
7 agency, for disciplinary cases under its jurisdiction,
8 complete the report of its initial investigative findings and
9 recommendations concerning the existence of probable cause
10 within 6 months after its receipt of the complaint. The
11 failure of the agency, for disciplinary cases under its
12 jurisdiction, to comply with the time limits of this section
13 while investigating a complaint against a licensee constitutes
14 harmless error in any subsequent disciplinary action unless a
15 court finds that either the fairness of the proceeding or the
16 correctness of the action may have been impaired by a material
17 error in procedure or a failure to follow prescribed
18 procedure.When its investigation is complete and legally
19 sufficient, the department or the agency shall prepare and
20 submit to the probable cause panel of the appropriate
21 regulatory board the investigative report of the department or
22 the agency. The report shall contain the investigative
23 findings and the recommendations of the department or the
24 agency concerning the existence of probable cause. At any time
25 after legal sufficiency is found, the department or the agency
26 may dismiss any case, or any part thereof, if the department
27 or the agency determines that there is insufficient evidence
28 to support the prosecution of allegations contained therein.
29 The department or the agency shall provide a detailed report
30 to the appropriate probable cause panel prior to dismissal of
31 any case or part thereof, and to the subject of the complaint

1 after dismissal of any case or part thereof, under this
2 section. For cases dismissed prior to a finding of probable
3 cause, such report is confidential and exempt from s.
4 119.07(1). The probable cause panel shall have access, upon
5 request, to the investigative files pertaining to a case prior
6 to dismissal of such case. If the department or the agency
7 dismisses a case, the probable cause panel may retain
8 independent legal counsel, employ investigators, and continue
9 the investigation and prosecution of the case as it deems
10 necessary.

11 (3) The Agency for Health Care Administration shall
12 issue an emergency order suspending the license of any
13 physician licensed under chapter 458 or any osteopathic
14 physician licensed under chapter 459 who the agency has
15 reasonable cause to believe has violated the provisions of s.
16 458.320 or s. 459.0085.

17 (4)~~(3)~~ As an alternative to the provisions of
18 subsections (1) and (2), when a complaint is received, the
19 department or the agency may provide a licensee with a notice
20 of noncompliance for an initial offense of a minor violation.
21 Each board, or the department or the agency if there is no
22 board, shall establish by rule those minor violations under
23 this provision which do not endanger the public health,
24 safety, and welfare and which do not demonstrate a serious
25 inability to practice the profession. Failure of a licensee to
26 take action in correcting the violation within 15 days after
27 notice may result in the institution of regular disciplinary
28 proceedings.

29 (5)~~(4)~~ The determination as to whether probable cause
30 exists shall be made by majority vote of a probable cause
31 panel of the board, or by the department or the Agency for

1 Health Care Administration, as appropriate. Each regulatory
2 board shall provide by rule that the determination of probable
3 cause shall be made by a panel of its members or by the
4 department or the agency. Each board may provide by rule for
5 multiple probable cause panels composed of at least two
6 members. Each board may provide by rule that one or more
7 members of the panel or panels may be a former board member.
8 The length of term or repetition of service of any such former
9 board member on a probable cause panel may vary according to
10 the direction of the board when authorized by board rule. Any
11 probable cause panel must include one of the board's former or
12 present consumer members, if one is available, willing to
13 serve, and is authorized to do so by the board chairman. Any
14 probable cause panel must include a present board member. Any
15 probable cause panel must include a former or present
16 professional board member. However, any former professional
17 board member serving on the probable cause panel must hold an
18 active valid license for that profession. All proceedings of
19 the panel are exempt from s. 286.011 until 10 days after
20 probable cause has been found to exist by the panel or until
21 the subject of the investigation waives his privilege of
22 confidentiality. The probable cause panel may make a
23 reasonable request, and upon such request the department or
24 the agency shall provide such additional investigative
25 information as is necessary to the determination of probable
26 cause. A request for additional investigative information
27 shall be made within 15 days from the date of receipt by the
28 probable cause panel of the investigative report of the
29 department or the agency. The probable cause panel or the
30 department or the agency, as may be appropriate, shall make
31 its determination of probable cause within 30 days after

1 receipt by it of the final investigative report of the
2 department or the agency. The secretary may grant extensions
3 of the 15-day and the 30-day time limits. ~~If the probable~~
4 ~~cause panel does not find probable cause within the 30-day~~
5 ~~time limit, as may be extended, or if the probable cause panel~~
6 ~~finds no probable cause, the department or the agency may~~
7 ~~determine, within 10 days after the panel fails to determine~~
8 ~~probable cause or 10 days after the time limit has elapsed,~~
9 ~~that probable cause exists.~~In lieu of a finding of probable
10 cause, the probable cause panel, or the department or the
11 agency when there is no board, may issue a letter of guidance
12 to the subject. If, within the 30-day time limit, as may be
13 extended, the probable cause panel does not make a
14 determination regarding the existence of probable cause or
15 does not issue a letter of guidance in lieu of a finding of
16 probable cause, the agency, for disciplinary cases under its
17 jurisdiction, must make a determination regarding the
18 existence of probable cause within 10 days after the panel
19 fails to determine probable cause or issue a letter of
20 guidance.If the probable cause panel finds that probable
21 cause exists, it shall direct the department or the agency to
22 file a formal complaint against the licensee. The department
23 or the agency shall follow the directions of the probable
24 cause panel regarding the filing of a formal complaint. If
25 directed to do so, the department or the agency shall file a
26 formal complaint against the subject of the investigation and
27 prosecute that complaint pursuant to chapter 120. However, the
28 department or the agency may decide not to prosecute the
29 complaint if it finds that probable cause had been
30 improvidently found by the panel. In such cases, the
31 department or the agency shall refer the matter to the board.

1 The board may then file a formal complaint and prosecute the
2 complaint pursuant to chapter 120. The department or the
3 agency shall also refer to the board any investigation or
4 disciplinary proceeding not before the Division of
5 Administrative Hearings pursuant to chapter 120 or otherwise
6 completed by the department or the agency within 1 year after
7 the filing of a complaint. The agency, for disciplinary cases
8 under its jurisdiction, must establish a uniform reporting
9 system to quarterly refer to each board the status of any
10 investigation or disciplinary proceeding that is not before
11 the Division of Administrative Hearings or otherwise completed
12 by the department or agency within 1 year after the filing of
13 the complaint. Annually, the agency, for disciplinary cases
14 under its jurisdiction if there is no board, or each board
15 must establish a plan to reduce or otherwise close any
16 investigation or disciplinary proceeding that is not before
17 the Division of Administrative Hearings or otherwise completed
18 by the agency within 1 year after the filing of the complaint.
19 A probable cause panel or a board may retain independent legal
20 counsel, employ investigators, and continue the investigation
21 as it deems necessary; all costs thereof shall be paid from
22 the Health Care Trust Fund or the Professional Regulation
23 Trust Fund, as appropriate. All proceedings of the probable
24 cause panel are exempt from s. 120.525.

25 (6)~~(5)~~ A formal hearing before an administrative law
26 judge from the Division of Administrative Hearings shall be
27 held pursuant to chapter 120 if there are any disputed issues
28 of material fact. The administrative law judge shall issue a
29 recommended order pursuant to chapter 120. If any party raises
30 an issue of disputed fact during an informal hearing, the
31

1 hearing shall be terminated and a formal hearing pursuant to
2 chapter 120 shall be held.

3 (7)~~(6)~~ The appropriate board, with those members of
4 the panel, if any, who reviewed the investigation pursuant to
5 subsection~~(5)~~~~(4)~~being excused, or the department when there
6 is no board, shall determine and issue the final order in each
7 disciplinary case. Such order shall constitute final agency
8 action. Any consent order or agreed settlement shall be
9 subject to the approval of the department or the agency.

10 (8)~~(7)~~ The department or the Agency for Health Care
11 Administration, as appropriate, shall have standing to seek
12 judicial review of any final order of the board, pursuant to
13 s. 120.68.

14 (9)~~(8)~~ Any proceeding for the purpose of summary
15 suspension of a license, or for the restriction of the
16 license, of a licensee pursuant to s. 120.60(6) shall be
17 conducted by the Secretary of Business and Professional
18 Regulation or his designee or the Director of Health Care
19 Administration or his designee, as appropriate, who shall
20 issue the final summary order.

21 (10)(a)~~(9)~~ The department or the Agency for Health
22 Care Administration, as appropriate, shall periodically notify
23 the person who filed the complaint of the status of the
24 investigation, whether probable cause has been found, and the
25 status of any civil action or administrative proceeding or
26 appeal.

27 (b) In any disciplinary case under the jurisdiction of
28 the Agency for Health Care Administration for which probable
29 cause has been found, the Agency for Health Care
30 Administration shall provide to the person who filed the
31 complaint a copy of the administrative complaint and:

1 1. A written explanation of how an administrative
2 complaint is resolved by the disciplinary process.

3 2. A written explanation of how and when the person
4 may participate in the disciplinary process.

5 3. A written notice of any hearing before the Division
6 of Administrative Hearings or the regulatory board for which
7 final agency action is taken.

8 (c) In any disciplinary case for which probable cause
9 is not found, the Agency for Health Care Administration shall
10 so inform the person who filed the complaint and notify that
11 person that he or she may, within 60 days, provide any
12 additional information to the probable cause panel which may
13 be relevant to the decision. In any administrative proceeding
14 under s. 120.57, the person who filed the disciplinary
15 complaint shall have the right to present oral or written
16 communication relating to the alleged disciplinary violations
17 or to the appropriate penalty.

18 ~~(11)(10)~~ The complaint and all information obtained
19 pursuant to the investigation by the department or the Agency
20 for Health Care Administration are confidential and exempt
21 from s. 119.07(1) until 10 days after probable cause has been
22 found to exist by the probable cause panel or by the
23 department or the agency, or until the regulated professional
24 or subject of the investigation waives his privilege of
25 confidentiality, whichever occurs first. Upon completion of
26 the investigation and pursuant to a written request by the
27 subject, the department or the agency shall provide the
28 subject an opportunity to inspect the investigative file or,
29 at the subject's expense, forward to the subject a copy of the
30 investigative file. Notwithstanding s. 455.241, the subject
31 may inspect or receive a copy of any expert witness report or

1 patient record connected with the investigation, if the
2 subject agrees in writing to maintain the confidentiality of
3 any information received under this subsection until 10 days
4 after probable cause is found and to maintain the
5 confidentiality of patient records pursuant to s. 455.241. The
6 subject may file a written response to the information
7 contained in the investigative file. Such response must be
8 filed within 20 days, unless an extension of time has been
9 granted by the department or the agency. This subsection does
10 not prohibit the department or the Agency for Health Care
11 Administration from providing such information to any law
12 enforcement agency or to any other regulatory agency.

13 (12)~~(11)~~ A privilege against civil liability is hereby
14 granted to any complainant or any witness with regard to
15 information furnished with respect to any investigation or
16 proceeding pursuant to this section, unless the complainant or
17 witness acted in bad faith or with malice in providing such
18 information.

19 (13)~~(12)~~(a) No person who reports in any capacity,
20 whether or not required by law, information to the department
21 or the Division of Health Quality Assurance of the Agency for
22 Health Care Administration with regard to the incompetence,
23 impairment, or unprofessional conduct of any health care
24 provider licensed under chapter 458, chapter 459, chapter 460,
25 chapter 461, chapter 462, chapter 463, chapter 464, chapter
26 465, or chapter 466 shall be held liable in any civil action
27 for reporting against such health care provider if such person
28 acts without intentional fraud or malice.

29 (b) No facility licensed under chapter 395, health
30 maintenance organization certificated under part I of chapter
31 641, physician licensed under chapter 458, or osteopathic

1 physician licensed under chapter 459 shall discharge, threaten
2 to discharge, intimidate, or coerce any employee or staff
3 member by reason of such employee's or staff member's report
4 to the agency about a physician licensed under chapter 458,
5 chapter 459, chapter 460, chapter 461, or chapter 466 who may
6 be guilty of incompetence, impairment, or unprofessional
7 conduct so long as such report is given without intentional
8 fraud or malice.

9 (c) In any civil suit brought outside the protections
10 of paragraphs (a) and (b), where intentional fraud or malice
11 is alleged, the person alleging intentional fraud or malice
12 shall be liable for all court costs and for the other party's
13 reasonable attorney's fees if intentional fraud or malice is
14 not proved.

15 Section 17. Present subsections (8) and (9) of section
16 455.2285, Florida Statutes, are renumbered as subsections (9)
17 and (10), respectively, and a new subsection (8) is added to
18 that section, to read:

19 455.2285 Annual report concerning finances,
20 administrative complaints, disciplinary actions, and
21 recommendations.--The department and the Agency for Health
22 Care Administration are each directed to prepare and submit a
23 report to the President of the Senate and Speaker of the House
24 of Representatives by November 1 of each year. In addition to
25 finances and any other information the Legislature may
26 require, the report shall include statistics and relevant
27 information, profession by profession, detailing:

28 (8) A description of any effort by the agency, for any
29 disciplinary cases under its jurisdiction, to reduce or
30 otherwise close any investigation or disciplinary proceeding
31 not before the Division of Administrative Hearings under

1 chapter 120 or otherwise not completed within 1 year after the
2 initial filing of a complaint under this chapter.

3 Section 18. Section 455.2478, Florida Statutes, is
4 created to read:

5 455.2478 Reports of professional liability actions;
6 bankruptcies; Department of Health's responsibility to
7 provide.--

8 (1) The report of a claim or action for damages for
9 personal injury which is required to be provided to the
10 Department of Health under s. 455.247 or s. 627.912 is public
11 information except for the name of the claimant or injured
12 person, which remains confidential as provided in s.
13 455.247(2)(d) and s. 627.912(2)(e). The Department of Health
14 shall, upon request, make such report available to any person.

15 (2) Any information in the possession of the Department
16 of Health which relates to a bankruptcy proceeding by a
17 practitioner of medicine licensed under chapter 458, a
18 practitioner of osteopathic medicine licensed under chapter
19 459, a podiatrist licensed under chapter 461, or a dentist
20 licensed under chapter 466 is public information. The
21 Department of Health shall, upon request, make such
22 information available to any person.

23 Section 19. Section 627.912, Florida Statutes, 1996
24 Supplement, is amended to read:

25 627.912 Professional liability claims and actions;
26 reports by insurers.--

27 (1) Each self-insurer authorized under s. 627.357 and
28 each insurer or joint underwriting association providing
29 professional liability insurance to a practitioner of medicine
30 licensed under ~~pursuant to the provisions of~~ chapter 458, to a
31 practitioner of osteopathic medicine licensed under ~~pursuant~~

1 ~~to the provisions of~~ chapter 459, to a podiatrist licensed
2 ~~under pursuant to the provisions of~~ chapter 461, to a dentist
3 licensed under ~~pursuant to the provisions of~~ chapter 466, to a
4 hospital licensed under ~~pursuant to the provisions of~~ chapter
5 395, to a crisis stabilization unit licensed under part IV of
6 chapter 394, to a health maintenance organization certificated
7 under part I of chapter 641, to clinics included in chapter
8 390, to an ambulatory surgical center as defined in s.
9 395.002, or to a member of The Florida Bar shall report in
10 duplicate to the Department of Insurance any claim or action
11 for damages for personal injuries claimed to have been caused
12 by error, omission, or negligence in the performance of such
13 insured's professional services or based on a claimed
14 performance of professional services without consent, if the
15 claim resulted in:

- 16 (a) A final judgment in any amount.
17 (b) A settlement in any amount.
18 (c) A final disposition not resulting in payment on
19 behalf of the insured.
20

21 Reports shall be filed with the department and, if the insured
22 party is licensed under ~~pursuant to~~ chapter 458, chapter 459,
23 chapter 461, or chapter 466, with the Agency for Health Care
24 Administration ~~Department of Business and Professional~~
25 ~~Regulation~~, no later than 30 ~~60~~ days following the occurrence
26 of any event listed in paragraph (a), paragraph (b), or
27 paragraph (c). The Agency for Health Care Administration
28 ~~Department of Business and Professional Regulation~~ shall
29 review each report and determine whether any of the incidents
30 that resulted in the claim potentially involved conduct by the
31 licensee that is subject to disciplinary action, in which case

1 the provisions of s. 455.225 shall apply. The Agency for
2 Health Care Administration ~~Department of Business and~~
3 ~~Professional Regulation~~, as part of the annual report required
4 by s. 455.2285, shall publish annual statistics, without
5 identifying licensees, on the reports it receives, including
6 final action taken on such reports by the agency ~~Department of~~
7 ~~Business and Professional Regulation~~ or the appropriate
8 regulatory board.

9 (2) The reports required by subsection (1) shall
10 contain:

11 (a) The name, address, and specialty coverage of the
12 insured.

13 (b) The insured's policy number.

14 (c) The date of the occurrence which created the
15 claim.

16 (d) The date the claim was reported to the insurer or
17 self-insurer.

18 (e) The name and address of the injured person. This
19 information is confidential and exempt from the provisions of
20 s. 119.07(1), and must not be disclosed by the department
21 without the injured person's consent, except for disclosure by
22 the department to the Agency for Health Care Administration
23 ~~Department of Business and Professional Regulation~~. This
24 information may be used by the department for purposes of
25 identifying multiple or duplicate claims arising out of the
26 same occurrence.

27 (f) The date of suit, if filed.

28 (g) The injured person's age and sex.

29 (h) The total number and names of all defendants
30 involved in the claim.

31

1 (i) The date and amount of judgment or settlement, if
2 any, including the itemization of the verdict ~~as required~~
3 ~~under s. 768.48~~, together with a copy of the settlement or
4 judgment.

5 (j) In the case of a settlement, such information as
6 the department may require with regard to the injured person's
7 incurred and anticipated medical expense, wage loss, and other
8 expenses.

9 (k) The loss adjustment expense paid to defense
10 counsel, and all other allocated loss adjustment expense paid.

11 (l) The date and reason for final disposition, if no
12 judgment or settlement.

13 (m) A summary of the occurrence which created the
14 claim, which shall include:

15 1. The name of the institution, if any, and the
16 location within the institution at which the injury occurred.

17 2. The final diagnosis for which treatment was sought
18 or rendered, including the patient's actual condition.

19 3. A description of the misdiagnosis made, if any, of
20 the patient's actual condition.

21 4. The operation, diagnostic, or treatment procedure
22 causing the injury.

23 5. A description of the principal injury giving rise
24 to the claim.

25 6. The safety management steps that have been taken by
26 the insured to make similar occurrences or injuries less
27 likely in the future.

28 (n) Any other information required by the department
29 to analyze and evaluate the nature, causes, location, cost,
30 and damages involved in professional liability cases.

31

1 (3) Upon request by the Agency for Health Care
2 Administration ~~Department of Business and Professional~~
3 ~~Regulation~~, the department shall provide the that agency
4 ~~department~~ with any information received under pursuant to
5 this section related to persons licensed under chapter 458,
6 chapter 459, chapter 461, or chapter 466. For purposes of
7 safety management, the department shall annually provide the
8 Department of Health ~~and Rehabilitative Services~~ with copies
9 of the reports in cases resulting in an indemnity being paid
10 to the claimants.

11 (4) ~~There shall be no liability on the part of, and no~~
12 ~~cause of action of any nature shall arise against, Any insurer~~
13 ~~reporting hereunder or its agents or employees or the~~
14 ~~department or its employees~~ is not liable for any action taken
15 by them under pursuant to this section, except that the
16 department shall impose a fine of \$250 per day per case
17 against an insurer that violates the requirements of this
18 section. This subsection applies to claims accruing on or
19 after October 1, 1997.

20 Section 20. The Agency for Health Care Administration
21 shall establish a toll-free telephone number for public
22 reporting of complaints relating to medical treatment or
23 services provided by health care professionals.

24 Section 21. Except as otherwise provided in this act,
25 this act shall take effect October 1, 1997.

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HOUSE SUMMARY

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Requires physicians, osteopathic physicians, podiatrists, and chiropractors to furnish specified biographical and other data to the Department of Health. Requires the department to verify certain of the information and compile the information submitted and other public record information into a practitioner profile of each licensee and to make the profiles available to the public. Provides for rules. Provides duties of practitioners to update information and duties of the department to update profiles. Provides for retention of information in superseded profiles. Requires applicants for licensure or relicensure as a physician, osteopathic physician, chiropractor, or podiatrist to submit information, fingerprints, and fees. Provides for citations to, and fines of, certain practitioners.

Revises procedures to discipline professionals. Requires the Agency for Health Care Administration or appropriate regulatory boards to establish plans to resolve incomplete investigations or disciplinary proceedings. Requires the agency to issue an emergency order suspending the license of a physician or osteopathic physician for certain violations. Requires additional information in the annual report by the department and by the agency. Provides that reports on professional liability actions and information relating to bankruptcy proceedings of specified health care practitioners which are in the possession of the department are public records. Requires the department to make such information available to persons who request it. Provides for insurer reporting of professional liability claims and actions. Revises the timeframe for reporting. Provides for a toll-free telephone number for reporting complaints relating to medical care.

See bill for details.