

By Senator Brown-Waite

10-208A-98

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A bill to be entitled  
An act relating to the practice of medicine;  
providing for the revocation of the licenses of  
health care professionals who are convicted of  
sexual misconduct; providing an effective date.

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

Section 1. Section 455.567, Florida Statutes is  
amended to read:

455.567 Sexual misconduct; disqualification for  
license, certificate, or registration.--Each board within the  
jurisdiction of the department, or the department if there is  
no board, shall permanently revoke the license, certificate,  
or registration of any health care professional or shall  
refuse to admit a candidate to any examination and refuse to  
issue a license, certificate, or registration to any applicant  
if the licensee, candidate, or applicant has:

(1) Had any license, certificate, or registration to  
practice any profession or occupation revoked or surrendered  
based on a violation of sexual misconduct in the practice of  
that profession under the laws of any other state or any  
territory or possession of the United States and has not had  
that license, certificate, or registration reinstated by the  
licensing authority of the jurisdiction that revoked the  
license, certificate, or registration; or

(2) Committed any act in this state or any other  
state, or any territory, or possession of the United States,  
which if committed in this state would constitute sexual  
misconduct.

1           (3) As used in this section, the term "sexual  
2 misconduct" means a violation of the professional-patient  
3 relationship through which the health care professional uses  
4 that relationship to induce or attempt to induce the patient  
5 to engage, or to engage or attempt to engage the patient, in  
6 sexual activity outside the scope of the practice or the scope  
7 of generally accepted examination or treatment of the patient.  
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9 A licensing authority's acceptance of a candidate's  
10 relinquishment of a license which is offered in response to or  
11 in anticipation of the filing of administrative charges  
12 against the candidate's license constitutes the surrender of  
13 the license.

14           Section 2. This act shall take effect July 1, 1998.

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17                               SENATE SUMMARY

18           Provides for the revocation of the license of any  
19 health care professional who is convicted of sexual  
20 misconduct.  
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