
SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: March 31, 1998 Revised: _____

Subject: Regulation of Professions; Identification

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Munroe</u>	<u>Wilson</u>	<u>HC</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

Committee Substitute for Senate Bill 932 makes certain specified health care practitioners subject to discipline for failure to wear legible and conspicuously displayed identification indicating the practitioner's name and professional title, while the practitioner is practicing as an employee of a hospital, clinic, or group practice, or at a commercial establishment offering health care services to the public. The committee substitute authorizes the Department of Health or the appropriate regulatory board to adopt administrative rules to exempt practitioners from the identification requirements in practice settings where compliance would interfere with the practitioner's delivery of health care services. The committee substitute limits the sanction for failure to comply with practitioner identification requirements to the issuance of a notice of noncompliance. The committee substitute exempts certain health care practitioners from the identification requirements when practicing in a clinic, or group practice.

This bill amends section 455.624, Florida Statutes.

II. Present Situation:

Chapter 455, Florida Statutes, provides the general regulatory provisions for the health care professions under the Department of Health. Section 455.624, F.S., provides grounds for which licensed health care professionals may be subject to discipline by the Department of Health or the appropriate regulatory board. In addition to the general regulatory provisions in chapter 455, F.S., each health care profession is subject to practice act requirements contained in the following chapters of the Florida Statutes.

Chapter	Professions and (Authorized Professional Titles) * denotes chapters that are not included in the bill's identification requirement
400	nursing assistants
457	acupuncturists
458	physicians; restricted license physicians; medical faculty certificate holders; certified physician assistants; temporary certificate holders; public health certificate holders; public psychiatry certificate holders; limited license holders; resident physicians; interns; fellows; medical assistants
459	osteopathic physicians; certified physician assistants; osteopathic faculty certificate holders;
460	chiropractic physicians; certified chiropractic physician's assistants; registered chiropractic assistants; trainees
461	podiatrists; "quiropedistas"
462	naturopaths
463	optometrists; certified optometrists; optometric faculty certificate holders
464	advanced registered nurse practitioners; registered nurses; licensed practical nurses; registered nurse first assistants
465	pharmacists; consultant pharmacists; registered pharmacy interns; nuclear pharmacists; pharmacy technicians
466	dentists; dental hygienists; dental assistants
467	certified nurse midwives; midwives
468 Pt. I	speech-language pathologists; audiologists; certified audiology assistants; certified speech-language pathology assistants; provisional licensees
468 Pt. II*	nursing home administrators; provisional licensees
468 Pt. III	occupational therapists; occupational therapy aides; occupational therapy assistants
468 Pt. V	respiratory therapists; respiratory care practitioners; graduate respiratory therapy technicians; graduate respiratory therapists;
468 Pt. X	registered dietitians; dietetic technicians; nutritionists; nutrition counselors
468 Pt. XIII*	athletic trainers

468 Pt. XIV	orthotists; prosthetists; prosthetist-orthotists; pedorthotists; orthotic fitters; orthotic fitter assistants
480*	massage therapists; apprentices
483 Pt. III	(clinical laboratory personnel) directors, supervisors, technologists, technicians, trainees in various specialties and subspecialties
483 Pt. IV	medical physicists in various specialties
484 Pt. I	opticians; registered trainees (opticianry);
484 Pt. II	hearing aid specialists; trainees (hearing aid specialists)
486	physical therapist; physical therapist assistants
490	psychologists; provisional psychologist licensees; sex therapists; school psychologists
491	clinical social workers; marriage and family therapists; mental health counselors; provisional clinical social worker licensees; provisional marriage and family therapist licensees; provisional mental health counselor licensees; registered clinical social worker interns; registered marriage and family therapist interns; registered mental health counselor interns; student interns; sex therapists; certified master social workers

Section 381.026, F.S., provides the Florida Patient’s Bill of Rights and Responsibilities, which provides that a patient has the right to know the name, function, and qualifications of each health care provider who is providing medical services to the patient. A patient may request such information from his or her responsible provider or the health care facility in which he or she is receiving medical services. Section 381.026, F.S., may not be used for any purpose in any civil or administrative action and does not expand or limit any rights or remedies provided under any other law.

III. Effect of Proposed Changes:

This bill makes certified nursing assistants, acupuncturists, medical physicians, osteopathic physicians, certified physician assistants, podiatrists, chiropractors, certified chiropractic physician’s assistants, registered chiropractic assistants, naturopathic physicians, optometrists, nurses, pharmacists, consultant pharmacists, registered pharmacy interns, nuclear pharmacists, pharmacy technicians, dentists, dental hygienists, midwives, speech-language pathologists, audiologists, certified audiology assistants, certified speech-language pathology assistants, occupational therapists, respiratory therapists, dietitians, nutritionists, nutrition counselors, orthotists, prosthetists, pedorthotists, physical therapists, physical therapist assistants, clinical laboratory personnel, medical physicists, opticians, hearing aid specialists, psychologists, school psychologists, provisional psychologist licensees, mental health counselors, marriage and family

therapists, clinical social workers, provisional clinical social worker licensees, provisional marriage and family therapist licensees, provisional mental health counselor licensees, registered clinical social worker interns, registered marriage and family therapist interns, registered mental health counselor interns, student interns, sex therapists, and certified master social workers subject to discipline by the appropriate regulatory board within the Department of Health or the department, as appropriate, for failure to wear legible and conspicuously displayed identification, indicating the practitioner's name and professional title, while the practitioner is practicing as an employee of a hospital, clinic, or group practice, or at a commercial establishment offering health care services to the public. A health professional who fails to wear the required identification required by the bill is subject to the issuance of a notice of noncompliance under s. 455.624(3), F.S. The bill requires the Department of Health or the appropriate board to adopt administrative rules to exempt practitioners from the identification requirements in practice settings where compliance would interfere with the practitioner's delivery of health care services. The bill exempts licensed medical physicians, osteopathic physicians, chiropractic physicians, podiatric physicians, and psychologists from the identification requirements while practicing in a clinic or group practice.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Article I, Subsections 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Health care professionals subject to the bill's requirement to wear identification while practicing as an employee or operator of a hospital, clinic, or group practice, or at a

commercial establishment offering health care services, will incur additional costs for the identification required under the bill.

To the extent that consumers may make more informed decisions regarding their health care, they may benefit by the bill's requirement that specified health professionals must wear identification.

C. Government Sector Impact:

To the extent the Department of Health must enforce the bill's requirement for specified health care professionals to wear identification, it will incur costs. The department has indicated that such costs will be minimal.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.