

By Representative Kyle

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

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

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

15 458.351 Telemedicine; licensure required;
16 exception.--In addition to any other provision of this chapter
17 defining or otherwise regulating the practice of medicine, any
18 physician, wherever located, who has primary authority over
19 the care or diagnosis of a patient located in this state is
20 practicing medicine in this state and shall be subject to
21 licensure as required by this chapter. A physician lawfully
22 licensed in another state or territory of the United States or
23 in a foreign country who engages in consultation with a
24 physician duly licensed in this state and does not exercise
25 primary authority over the patient's care and diagnosis is
26 exempt from licensure, as provided in s. 458.303(1)(b). In the
27 case of electronic transmission of radiographic images, a
28 physician who provides, through an ongoing regular
29 arrangement, official authenticated interpretations of
30 radiographic images to any health care practitioner or patient
31 located in this state shall be regarded as exercising primary

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

3 Section 2. This act shall take effect January 1, 2000.

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5 HOUSE SUMMARY

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