

Bill No. HB 2125, 2nd Eng.

Amendment No.

CHAMBER ACTION

Senate

House

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Senator Sullivan moved the following amendment:

Senate Amendment (with title amendment)

On page 68, between lines 27 and 28,

insert:

Section 57. Subsection (4) of section 455.565, Florida Statutes, 1998 Supplement, is amended to read:

455.565 Designated health care professionals;
information required for licensure.--

(4)(a) An applicant for initial licensure must submit a set of fingerprints to the Department of Health in accordance with s. 458.311, s. 458.3115, s. 458.3124, s. 458.313, s. 459.0055, s. 460.406, or s. 461.006.

(b) An applicant for renewed licensure who received an initial license in this state after January 1, 1992, must submit a set of fingerprints for the initial renewal of his or her license after January 1, 2000, to the agency regulating that profession in accordance with procedures established under s. 458.319, s. 459.008, s. 460.407, or s. 461.007.

(c) The Department of Health shall submit the

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1 fingerprints provided by an applicant for initial licensure to
2 the Florida Department of Law Enforcement for a statewide
3 criminal history check, and the Florida Department of Law
4 Enforcement shall forward the fingerprints to the Federal
5 Bureau of Investigation for a national criminal history check
6 of the applicant. The department shall submit the fingerprints
7 provided by an applicant for a renewed license who received an
8 initial license in this state after January 1, 1992, to the
9 Florida Department of Law Enforcement for a statewide criminal
10 history check, and the Florida Department of Law Enforcement
11 shall forward the fingerprints to the Federal Bureau of
12 Investigation for a national criminal history check for the
13 initial renewal of the applicant's license after January 1,
14 2000. For any subsequent renewal of the applicant's license
15 and of any applicant who received an initial license in this
16 state on or before January 1, 1992, the department shall
17 submit the required information for a statewide criminal
18 history check of the applicant.

19 Section 58. Subsection (1) of section 458.319, Florida
20 Statutes, 1998 Supplement, is amended to read:

21 458.319 Renewal of license.--

22 (1) The department shall renew a license upon receipt
23 of the renewal application, evidence that the applicant has
24 actively practiced medicine or has been on the active teaching
25 faculty of an accredited medical school for at least 2 years
26 of the immediately preceding 4 years, and a fee not to exceed
27 \$500; provided, however, that if the licensee is either a
28 resident physician, assistant resident physician, fellow,
29 house physician, or intern in an approved postgraduate
30 training program, as defined by the board by rule, the fee
31 shall not exceed \$100 per annum. If the licensee has not

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1 actively practiced medicine for at least 2 years of the
2 immediately preceding 4 years, the board shall require that
3 the licensee successfully complete a board-approved clinical
4 competency examination prior to renewal of the license.
5 "Actively practiced medicine" means that practice of medicine
6 by physicians, including those employed by any governmental
7 entity in community or public health, as defined by this
8 chapter, including physicians practicing administrative
9 medicine. An applicant for a renewed license must also submit
10 the information required under s. 455.565 to the department on
11 a form and under procedures specified by the department, along
12 with payment in an amount equal to the costs incurred by the
13 Department of Health for the statewide criminal background
14 check of the applicant. An ~~The~~ applicant for a renewed license
15 who received an initial license in this state after January 1,
16 1992, must submit a set of fingerprints to the Department of
17 Health on a form and under procedures specified by the
18 department, along with payment in an amount equal to the costs
19 incurred by the department for a national criminal background
20 check of the applicant for the initial renewal of his or her
21 license after January 1, 2000. If the applicant fails to
22 submit either the information required under s. 455.565 or a
23 set of fingerprints to the department as required by this
24 section, the department shall issue a notice of noncompliance,
25 and the applicant will be given 30 additional days to comply.
26 If the applicant fails to comply within 30 days after the
27 notice of noncompliance is issued, the department or board, as
28 appropriate, may issue a citation to the applicant and may
29 fine the applicant up to \$50 for each day that the applicant
30 is not in compliance with the requirements of s. 455.565. The
31 citation must clearly state that the applicant may choose, in

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1 lieu of accepting the citation, to follow the procedure under
2 s. 455.621. If the applicant disputes the matter in the
3 citation, the procedures set forth in s. 455.621 must be
4 followed. However, if the applicant does not dispute the
5 matter in the citation with the department within 30 days
6 after the citation is served, the citation becomes a final
7 order and constitutes discipline. Service of a citation may be
8 made by personal service or certified mail, restricted
9 delivery, to the subject at the applicant's last known
10 address. The department may not delay renewing a license due
11 to the processing of a statewide criminal history check or a
12 national criminal background check.~~If an applicant has~~
13 ~~submitted fingerprints to the department for a national~~
14 ~~criminal history check upon initial licensure and is renewing~~
15 ~~his or her license for the first time, then the applicant need~~
16 ~~only submit the information and fee required for a statewide~~
17 ~~criminal history check.~~

18 Section 59. Subsection (1) of section 459.008, Florida
19 Statutes, 1998 Supplement, is amended to read:

20 459.008 Renewal of licenses and certificates.--

21 (1) The department shall renew a license or
22 certificate upon receipt of the renewal application and fee.
23 An applicant for a renewed license must also submit the
24 information required under s. 455.565 to the department on a
25 form and under procedures specified by the department, along
26 with payment in an amount equal to the costs incurred by the
27 Department of Health for the statewide criminal background
28 check of the applicant. An ~~The~~ applicant for a renewed license
29 who received an initial license in this state after January 1,
30 1992, must submit a set of fingerprints to the Department of
31 Health on a form and under procedures specified by the

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1 department, along with payment in an amount equal to the costs
2 incurred by the department for a national criminal background
3 check of the applicant for the initial renewal of his or her
4 license after January 1, 2000. If the applicant fails to
5 submit either the information required under s. 455.565 or a
6 set of fingerprints to the department as required by this
7 section, the department shall issue a notice of noncompliance,
8 and the applicant will be given 30 additional days to comply.
9 If the applicant fails to comply within 30 days after the
10 notice of noncompliance is issued, the department or board, as
11 appropriate, may issue a citation to the applicant and may
12 fine the applicant up to \$50 for each day that the applicant
13 is not in compliance with the requirements of s. 455.565. The
14 citation must clearly state that the applicant may choose, in
15 lieu of accepting the citation, to follow the procedure under
16 s. 455.621. If the applicant disputes the matter in the
17 citation, the procedures set forth in s. 455.621 must be
18 followed. However, if the applicant does not dispute the
19 matter in the citation with the department within 30 days
20 after the citation is served, the citation becomes a final
21 order and constitutes discipline. Service of a citation may be
22 made by personal service or certified mail, restricted
23 delivery, to the subject at the applicant's last known
24 address. The department may not delay renewing a license due
25 to the processing of a statewide criminal history check or a
26 national criminal background check.~~If an applicant has~~
27 ~~submitted fingerprints to the department for a national~~
28 ~~criminal history check upon initial licensure and is renewing~~
29 ~~his or her license for the first time, then the applicant need~~
30 ~~only submit the information and fee required for a statewide~~
31 ~~criminal history check.~~

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1 Section 60. Subsection (1) of section 460.407, Florida
2 Statutes, 1998 Supplement, is amended to read:
3 460.407 Renewal of license.--
4 (1) The department shall renew a license upon receipt
5 of the renewal application and the fee set by the board not to
6 exceed \$500. An applicant for a renewed license must also
7 submit the information required under s. 455.565 to the
8 department on a form and under procedures specified by the
9 department, along with payment in an amount equal to the costs
10 incurred by the Department of Health for the statewide
11 criminal background check of the applicant. An ~~The~~ applicant
12 for a renewed license who received an initial license in this
13 state after January 1, 1992, must submit a set of fingerprints
14 to the Department of Health on a form and under procedures
15 specified by the department, along with payment in an amount
16 equal to the costs incurred by the department for a national
17 criminal background check of the applicant for the initial
18 renewal of his or her license after January 1, 2000. If the
19 applicant fails to submit either the information required
20 under s. 455.565 or a set of fingerprints to the department as
21 required by this section, the department shall issue a notice
22 of noncompliance, and the applicant will be given 30
23 additional days to comply. If the applicant fails to comply
24 within 30 days after the notice of noncompliance is issued,
25 the department or board, as appropriate, may issue a citation
26 to the applicant and may fine the applicant up to \$50 for each
27 day that the applicant is not in compliance with the
28 requirements of s. 455.565. The citation must clearly state
29 that the applicant may choose, in lieu of accepting the
30 citation, to follow the procedure under s. 455.621. If the
31 applicant disputes the matter in the citation, the procedures

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1 set forth in s. 455.621 must be followed. However, if the
 2 applicant does not dispute the matter in the citation with the
 3 department within 30 days after the citation is served, the
 4 citation becomes a final order and constitutes discipline.
 5 Service of a citation may be made by personal service or
 6 certified mail, restricted delivery, to the subject at the
 7 applicant's last known address. The department may not delay
 8 renewing a license due to the processing of a statewide
 9 criminal history check or a national criminal background
 10 check.~~If an applicant has submitted fingerprints to the~~
 11 ~~department for a national criminal history check upon initial~~
 12 ~~licensure and is renewing his or her license for the first~~
 13 ~~time, then the applicant need only submit the information and~~
 14 ~~fee required for a statewide criminal history check.~~

15 Section 61. Subsection (1) of section 461.007, Florida
 16 Statutes, 1998 Supplement, is amended to read:

17 461.007 Renewal of license.--

18 (1) The department shall renew a license upon receipt
 19 of the renewal application and a fee not to exceed \$350 set by
 20 the board. An applicant for a renewed license must also submit
 21 the information required under s. 455.565 to the department on
 22 a form and under procedures specified by the department, along
 23 with payment in an amount equal to the costs incurred by the
 24 Department of Health for the statewide criminal background
 25 check of the applicant. An ~~The~~ applicant for a renewed license
 26 who received an initial license in this state after January 1,
 27 1992, must submit a set of fingerprints to the Department of
 28 Health on a form and under procedures specified by the
 29 department, along with payment in an amount equal to the costs
 30 incurred by the department for a national criminal background
 31 check of the applicant for the initial renewal of his or her

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1 license after January 1, 2000. If the applicant fails to
2 submit either the information required under s. 455.565 or a
3 set of fingerprints to the department as required by this
4 section, the department shall issue a notice of noncompliance,
5 and the applicant will be given 30 additional days to comply.
6 If the applicant fails to comply within 30 days after the
7 notice of noncompliance is issued, the department or board, as
8 appropriate, may issue a citation to the applicant and may
9 fine the applicant up to \$50 for each day that the applicant
10 is not in compliance with the requirements of s. 455.565. The
11 citation must clearly state that the applicant may choose, in
12 lieu of accepting the citation, to follow the procedure under
13 s. 455.621. If the applicant disputes the matter in the
14 citation, the procedures set forth in s. 455.621 must be
15 followed. However, if the applicant does not dispute the
16 matter in the citation with the department within 30 days
17 after the citation is served, the citation becomes a final
18 order and constitutes discipline. Service of a citation may be
19 made by personal service or certified mail, restricted
20 delivery, to the subject at the applicant's last known
21 address. The department may not delay renewing a license due
22 to the processing of a statewide criminal history check or a
23 national criminal background check.~~If an applicant has~~
24 ~~submitted fingerprints to the department for a national~~
25 ~~criminal history check upon initial licensure and is renewing~~
26 ~~his or her license for the first time, then the applicant need~~
27 ~~only submit the information and fee required for a statewide~~
28 ~~criminal history check.~~

29
30 (Redesignate subsequent sections.)

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 5, line 10, after the semicolon

4

5 insert:

6 amending ss. 455.565, 458.319, 459.008,
7 460.407, 461.007, F.S., relating to relicensure
8 requirements for physicians, osteopathic
9 physicians, chiropractic physicians, and
10 podiatrists; revising requirements for
11 submitting fingerprints to the Department of
12 Health for renewal of licensure;

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