

Bill No. CS for SB 2220

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Sullivan moved the following amendment to amendment (333964):

Senate Amendment (with title amendment)

On page 276, between lines 26 and 27,

insert:

Section 201. 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.

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

20 Section 202. Subsection (1) of section 458.319,
21 Florida Statutes, 1998 Supplement, is amended to read:

22 458.319 Renewal of license.--

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

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1 shall not exceed \$100 per annum. If the licensee has not
2 actively practiced medicine for at least 2 years of the
3 immediately preceding 4 years, the board shall require that
4 the licensee successfully complete a board-approved clinical
5 competency examination prior to renewal of the license.
6 "Actively practiced medicine" means that practice of medicine
7 by physicians, including those employed by any governmental
8 entity in community or public health, as defined by this
9 chapter, including physicians practicing administrative
10 medicine. An applicant for a renewed license must also submit
11 the information required under s. 455.565 to the department on
12 a form and under procedures specified by the department, along
13 with payment in an amount equal to the costs incurred by the
14 Department of Health for the statewide criminal background
15 check of the applicant. An ~~The~~ applicant for a renewed license
16 who received an initial license in this state after January 1,
17 1992, must submit a set of fingerprints to the Department of
18 Health on a form and under procedures specified by the
19 department, along with payment in an amount equal to the costs
20 incurred by the department for a national criminal background
21 check of the applicant for the initial renewal of his or her
22 license after January 1, 2000. If the applicant fails to
23 submit either the information required under s. 455.565 or a
24 set of fingerprints to the department as required by this
25 section, the department shall issue a notice of noncompliance,
26 and the applicant will be given 30 additional days to comply.
27 If the applicant fails to comply within 30 days after the
28 notice of 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 s. 455.565. The

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1 citation must clearly state that the applicant may choose, in
2 lieu of accepting the citation, to follow the procedure under
3 s. 455.621. If the applicant disputes the matter in the
4 citation, the procedures set forth in s. 455.621 must be
5 followed. However, if the applicant does not dispute the
6 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. The department may not delay renewing a license due
12 to the processing of a statewide criminal history check or a
13 national criminal background check. If an applicant has
14 received an initial license to practice in this state after
15 January 1, 1992, and has submitted fingerprints to the
16 department for a national criminal history check ~~upon initial~~
17 ~~licensure~~ and is renewing his or her license ~~for the first~~
18 ~~time~~, then the applicant need only submit the information and
19 fee required for a statewide criminal history check.

20 Section 203. Subsection (1) of section 459.008,
21 Florida Statutes, 1998 Supplement, is amended to read:

22 459.008 Renewal of licenses and certificates.--

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

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1 1992, must submit a set of fingerprints to the Department of
2 Health on a form and under procedures specified by the
3 department, along with payment in an amount equal to the costs
4 incurred by the department for a national criminal background
5 check of the applicant for the initial renewal of his or her
6 license after January 1, 2000. If the applicant fails to
7 submit either the information required under s. 455.565 or a
8 set of fingerprints to the department as required by this
9 section, the department shall issue a notice of noncompliance,
10 and the applicant will be given 30 additional days to comply.
11 If the applicant fails to comply within 30 days after the
12 notice of noncompliance is issued, the department or board, as
13 appropriate, may issue a citation to the applicant and may
14 fine the applicant up to \$50 for each day that the applicant
15 is not in compliance with the requirements of s. 455.565. The
16 citation must clearly state that the applicant may choose, in
17 lieu of accepting the citation, to follow the procedure under
18 s. 455.621. If the applicant disputes the matter in the
19 citation, the procedures set forth in s. 455.621 must be
20 followed. However, if the applicant does not dispute the
21 matter in the citation with the department within 30 days
22 after the citation is served, the citation becomes a final
23 order and constitutes discipline. Service of a citation may be
24 made by personal service or certified mail, restricted
25 delivery, to the subject at the applicant's last known
26 address. The department may not delay renewing a license due
27 to the processing of a statewide criminal history check or a
28 national criminal background check. If an applicant has
29 received an initial license to practice in this state after
30 January 1, 1992, and has submitted fingerprints to the
31 department for a national criminal history check ~~upon initial~~

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1 ~~licensure~~ and is renewing his or her license ~~for the first~~
2 ~~time~~, then the applicant need only submit the information and
3 fee required for a statewide criminal history check.

4 Section 204. Subsection (1) of section 460.407,
5 Florida Statutes, 1998 Supplement, is amended to read:

6 460.407 Renewal of license.--

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

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1 that the applicant may choose, in lieu of accepting the
2 citation, to follow the procedure under s. 455.621. If the
3 applicant disputes the matter in the citation, the procedures
4 set forth in s. 455.621 must be followed. However, if the
5 applicant does not dispute the matter in the citation with the
6 department within 30 days after the citation is served, the
7 citation becomes a final order and constitutes discipline.
8 Service of a citation may be made by personal service or
9 certified mail, restricted delivery, to the subject at the
10 applicant's last known address. The department may not delay
11 renewing a license due to the processing of a statewide
12 criminal history check or a national criminal background
13 check. If an applicant has received an initial license to
14 practice in this state after January 1, 1992, and has
15 submitted fingerprints to the department for a national
16 criminal history check ~~upon initial licensure~~ and is renewing
17 his or her license ~~for the first time~~, then the applicant need
18 only submit the information and fee required for a statewide
19 criminal history check.

20 Section 205. Subsection (1) of section 461.007,
21 Florida Statutes, 1998 Supplement, is amended to read:

22 461.007 Renewal of license.--

23 (1) The department shall renew a license upon receipt
24 of the renewal application and a fee not to exceed \$350 set by
25 the board, and evidence that the applicant has actively
26 practiced podiatric medicine or has been on the active
27 teaching faculty of an accredited school of podiatric medicine
28 for at least 2 years of the immediately preceding 4 years. If
29 the licensee has not actively practiced podiatric medicine for
30 at least 2 years of the immediately preceding 4 years, the
31 board shall require that the licensee successfully complete a

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1 board-approved course prior to renewal of the license. For
2 purposes of this subsection, "actively practiced podiatric
3 medicine" means the licensed practice of podiatric medicine as
4 defined in s. 461.003(5) by podiatric physicians, including
5 podiatric physicians employed by any governmental entity, on
6 the active teaching faculty of an accredited school of
7 podiatric medicine, or practicing administrative podiatric
8 medicine. An applicant for a renewed license must also submit
9 the information required under s. 455.565 to the department on
10 a form and under procedures specified by the department, along
11 with payment in an amount equal to the costs incurred by the
12 Department of Health for the statewide criminal background
13 check of the applicant. An ~~The~~ applicant for a renewed license
14 who received an initial license in this state after January 1,
15 1992, must submit a set of fingerprints to the Department of
16 Health on a form and under procedures specified by the
17 department, along with payment in an amount equal to the costs
18 incurred by the department for a national criminal background
19 check of the applicant for the initial renewal of his or her
20 license after January 1, 2000. If the applicant fails to
21 submit either the information required under s. 455.565 or a
22 set of fingerprints to the department as required by this
23 section, the department shall issue a notice of noncompliance,
24 and the applicant will be given 30 additional days to comply.
25 If the applicant fails to comply within 30 days after the
26 notice of noncompliance is issued, the department or board, as
27 appropriate, may issue a citation to the applicant and may
28 fine the applicant up to \$50 for each day that the applicant
29 is not in compliance with the requirements of s. 455.565. The
30 citation must clearly state that the applicant may choose, in
31 lieu of accepting the citation, to follow the procedure under

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1 s. 455.621. If the applicant disputes the matter in the
2 citation, the procedures set forth in s. 455.621 must be
3 followed. However, if the applicant does not dispute the
4 matter in the citation with the department within 30 days
5 after the citation is served, the citation becomes a final
6 order and constitutes discipline. Service of a citation may be
7 made by personal service or certified mail, restricted
8 delivery, to the subject at the applicant's last known
9 address. The department may not delay renewing a license due
10 to the processing of a statewide criminal history check or a
11 national criminal background check. If an applicant has
12 received an initial license to practice in this state after
13 January 1, 1992, and has submitted fingerprints to the
14 department for a national criminal history check ~~upon initial~~
15 ~~licensure~~ and is renewing his or her license ~~for the first~~
16 ~~time~~, then the applicant need only submit the information and
17 fee required for a statewide criminal history check.

18
19 (Redesignate subsequent sections.)

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21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On page 296, line 29, after the semicolon,

25
26 insert:

27 amending ss. 455.565, 458.319, 459.008,
28 460.407, 461.007, F.S., relating to relicensure
29 requirements for physicians, osteopathic
30 physicians, chiropractic physicians, and
31 podiatrists; revising requirements for

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1 submitting fingerprints to the Department of
2 Health for renewal of licensure;
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