

By Senator Geller

29-325-99

1                                   A bill to be entitled  
2           An act relating to hospitals; amending s.  
3           395.0191, F.S.; providing staff membership and  
4           clinical privileges for licensed optometrists;  
5           providing certain limitations; providing an  
6           effective date.

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

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10           Section 1. Subsections (1) and (4) of section  
11           395.0191, Florida Statutes, 1998 Supplement, are amended to  
12           read:

13           395.0191 Staff membership and clinical privileges.--

14           (1) No licensed facility, in considering and acting  
15           upon an application for staff membership or clinical  
16           privileges, shall deny the application of a qualified doctor  
17           of medicine licensed under chapter 458, a doctor of  
18           osteopathic medicine licensed under chapter 459, a doctor of  
19           dentistry licensed under chapter 466, a doctor of podiatric  
20           medicine licensed under chapter 461, a certified doctor of  
21           optometry licensed under chapter 463, or a psychologist  
22           licensed under chapter 490 for such staff membership or  
23           clinical privileges within the scope of his or her respective  
24           licensure solely because the applicant is licensed under any  
25           of such chapters. Nothing in this section shall allow a doctor  
26           of optometry to perform any procedures beyond the scope of  
27           practice as defined in chapter 463. Hospital staff membership  
28           granted to a certified doctor of optometry shall not include  
29           admitting privileges.

30           (4) Nothing herein shall restrict in any way the  
31           authority of the medical staff of a licensed facility to

1 review for approval or disapproval all applications for  
2 appointment and reappointment to all categories of staff and  
3 to make recommendations on each applicant to the governing  
4 board, including the delineation of privileges to be granted  
5 in each case. In making such recommendations and in the  
6 delineation of privileges, each applicant shall be considered  
7 individually pursuant to criteria for a doctor licensed under  
8 chapter 458, chapter 459, chapter 461, chapter 463, or chapter  
9 466, or for an advanced registered nurse practitioner licensed  
10 and certified under chapter 464, or for a psychologist  
11 licensed under chapter 490, as applicable. The applicant's  
12 eligibility for staff membership or clinical privileges shall  
13 be determined by the applicant's background, experience,  
14 health, training, and demonstrated competency; the applicant's  
15 adherence to applicable professional ethics; the applicant's  
16 reputation; and the applicant's ability to work with others  
17 and by such other elements as determined by the governing  
18 board, consistent with this part.

19 Section 2. This act shall take effect October 1, 1999.

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22 SENATE SUMMARY

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24 Prohibits hospitals and other facilities licensed under  
25 chapter 395, F.S., from denying staff membership and  
26 clinical privileges to certified optometrists licensed  
27 under chapter 463, F.S., within the scope of said  
28 licensure, solely because of said licensure. Restricts  
29 such clinical privileges to the scope of practice under  
30 said licensure. Provides that such staff membership does  
31 not include admitting privileges.

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