

1 A bill to be entitled
2 An act relating to health care practitioners;
3 amending ss. 455.565, 458.319, 459.008,
4 460.407, 461.007, F.S., relating to relicensure
5 requirements for physicians, osteopathic
6 physicians, chiropractic physicians, and
7 podiatrists; revising requirements for
8 submitting fingerprints to the Department of
9 Health for renewal of licensure; providing an
10 effective date.

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

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14 Section 1. Subsection (4) of section 455.565, Florida
15 Statutes, 1998 Supplement, is amended to read:

16 455.565 Designated health care professionals;
17 information required for licensure.--

18 (4)(a) An applicant for initial licensure must submit
19 a set of fingerprints to the Department of Health in
20 accordance with s. 458.311, s. 458.3115, s. 458.3124, s.
21 458.313, s. 459.0055, s. 460.406, or s. 461.006.

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

28 (c) The Department of Health shall submit the
29 fingerprints provided by an applicant for initial licensure to
30 the Florida Department of Law Enforcement for a statewide
31 criminal history check, and the Florida Department of Law

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

16 Section 2. Subsection (1) of section 458.319, Florida
 17 Statutes, 1998 Supplement, is amended to read:

18 458.319 Renewal of license.--

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

1 competency examination prior to renewal of the license.
 2 "Actively practiced medicine" means that practice of medicine
 3 by physicians, including those employed by any governmental
 4 entity in community or public health, as defined by this
 5 chapter, including physicians practicing administrative
 6 medicine. An applicant for a renewed license must also submit
 7 the information required under s. 455.565 to the department on
 8 a form and under procedures specified by the department, along
 9 with payment in an amount equal to the costs incurred by the
 10 Department of Health for the statewide criminal background
 11 check of the applicant. An ~~The~~ applicant for a renewed license
 12 who received an initial license in this state after January 1,
 13 1992, must submit a set of fingerprints to the Department of
 14 Health on a form and under procedures specified by the
 15 department, along with payment in an amount equal to the costs
 16 incurred by the department for a national criminal background
 17 check of the applicant for the initial renewal of his or her
 18 license after January 1, 2000. If the applicant fails to
 19 submit either the information required under s. 455.565 or a
 20 set of fingerprints to the department as required by this
 21 section, the department shall issue a notice of noncompliance,
 22 and the applicant will be given 30 additional days to comply.
 23 If the applicant fails to comply within 30 days after the
 24 notice of noncompliance is issued, the department or board, as
 25 appropriate, may issue a citation to the applicant and may
 26 fine the applicant up to \$50 for each day that the applicant
 27 is not in compliance with the requirements of s. 455.565. The
 28 citation must clearly state that the applicant may choose, in
 29 lieu of accepting the citation, to follow the procedure under
 30 s. 455.621. If the applicant disputes the matter in the
 31 citation, the procedures set forth in s. 455.621 must be

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

16 Section 3. Subsection (1) of section 459.008, Florida
 17 Statutes, 1998 Supplement, is amended to read:

18 459.008 Renewal of licenses and certificates.--

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

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

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 received an initial license to
 11 practice in this state after January 1, 1992 and has submitted
 12 fingerprints to the department for a national criminal history
 13 check ~~upon initial licensure~~ and is renewing his or her
 14 license ~~for the first time~~, then the applicant need only
 15 submit the information and fee required for a statewide
 16 criminal history check.

17 Section 5. Subsection (1) of section 461.007, Florida
 18 Statutes, 1998 Supplement, is amended to read:

19 461.007 Renewal of license.--

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

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

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Section 6. This act shall take effect July 1, 1999.