

By Senator Campbell

33-815-00

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A bill to be entitled
An act relating to medical practice; amending
s. 458.327, F.S.; providing minimum penalties
for the practice of medicine without a license;
increasing the penalties when such practice
causes harm or injury to a patient; providing
an effective date.

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

Section 1. Subsection (1) of section 458.327, Florida
Statutes, is amended to read:

458.327 Penalty for violations.--

(1)(a) Each of the following acts constitutes a felony
of the third degree, punishable as provided in s. 775.082, s.
775.083, or s. 775.084:

~~1.(a)~~ The practice of medicine or an attempt to
practice medicine in this state without a license to practice
in Florida. A person who violates this subparagraph shall be
sentenced to a minimum term of imprisonment of 1 year and a
fine of \$10,000.

~~2.(b)~~ The use or attempted use of a license to
practice medicine which is suspended or revoked ~~to practice~~
~~medicine.~~

~~3.(c)~~ Attempting to obtain or obtaining a license to
practice medicine by knowing misrepresentation.

~~4.(d)~~ Attempting to obtain or obtaining a position as
a medical practitioner or medical resident in a clinic or
hospital through knowing misrepresentation of education,
training, or experience.

1 (b) A person who practices or attempts to practice
2 medicine in this state without a license to practice medicine
3 in Florida and thereby causes harm or injury to a patient
4 commits a felony of the second degree, punishable as provided
5 in s. 775.082, s. 775.083, or s. 775.084.

6 Section 2. This act shall take effect July 1, 2000.

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9 SENATE SUMMARY

10 Provides a minimum penalty of 1 year imprisonment and a
11 \$10,000 fine for practicing or attempting to practice
12 medicine in this state without a license. Provides that
13 if such practice causes harm or injury to a patient, the
14 person is guilty of a felony of the second degree.