

Bill No. CS for SB 994

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Clary moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 3, between lines 2 and 3,		
15			
16	insert:		
17	Section 2. Subsection (5) is added to section 458.315,		
18	Florida Statutes, to read:		
19	458.315 Temporary certificate for practice in areas of		
20	critical need.--Any physician who is licensed to practice in		
21	any other state, whose license is currently valid, and who		
22	pays an application fee of \$300 may be issued a temporary		
23	certificate to practice in communities of Florida where there		
24	is a critical need for physicians. A certificate may be		
25	issued to a physician who will be employed by a county health		
26	department, correctional facility, community health center		
27	funded by s. 329, s. 330, or s. 340 of the United States		
28	Public Health Services Act, or other entity that provides		
29	health care to indigents and that is approved by the State		
30	Health Officer. The Board of Medicine may issue this		
31	temporary certificate with the following restrictions:		

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1 (5) The application fee and all licensure fees,
2 including neurological injury compensation assessments, shall
3 be waived for those persons obtaining a temporary certificate
4 to practice in areas of critical need for the purpose of
5 providing volunteer, uncompensated care for low-income
6 Floridians. The applicant must submit an affidavit from the
7 employing agency or institution stating that the physician
8 will not receive any compensation for any service involving
9 the practice of medicine.

10 Section 3. Section 458.345, Florida Statutes, is
11 amended to read:

12 458.345 Registration of resident physicians, interns,
13 and fellows; list of hospital employees; prescribing of
14 medicinal drugs; penalty.--

15 (1) Any person desiring to practice as a resident
16 physician, assistant resident physician, house physician,
17 intern, or fellow in fellowship training which leads to
18 subspecialty board certification in this state, or any person
19 desiring to practice as a resident physician, assistant
20 resident physician, house physician, intern, or fellow in
21 fellowship training in a teaching hospital in this state as
22 defined in s. 408.07(44) or s. 395.805(2), who does not hold a
23 valid, active license issued under this chapter shall apply to
24 the department to be registered and shall remit a fee not to
25 exceed \$300 as set by the board. The department shall
26 register any applicant the board certifies has met the
27 following requirements:

28 (a) Is at least 21 years of age.

29 (b) Has not committed any act or offense within or
30 without the state which would constitute the basis for refusal
31 to certify an application for licensure pursuant to s.

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1 458.331.

2 (c) Is a graduate of a medical school or college as
3 specified in s. 458.311(1)(f).4 (2) The board shall not certify to the department for
5 registration any applicant who is under investigation in any
6 state or jurisdiction for an act which would constitute the
7 basis for imposing a disciplinary penalty specified in s.
8 458.331(2)(b) until such time as the investigation is
9 completed, at which time the provisions of s. 458.331 shall
10 apply.11 (3) Every hospital or teaching hospital employing or
12 utilizing the services of a resident physician, assistant
13 resident physician, house physician, intern, or fellow in
14 fellowship training registered under this section ~~which leads~~
15 ~~to subspecialty board certification~~ shall designate a person
16 who shall, on dates designated by the board, in consultation
17 with the department, furnish the department with a list of
18 such ~~the~~ hospital's employees and such other information as
19 the board may direct. The chief executive officer of each
20 such hospital shall provide the executive director of the
21 board with the name, title, and address of the person
22 responsible for furnishing such reports.23 (4) Registration under this section shall
24 automatically expire after 2 years without further action by
25 the board or the department unless an application for renewal
26 is approved by the board. No person registered under this
27 section may be employed or utilized as a house physician or
28 act as a resident physician, an assistant resident physician,
29 an intern, or a fellow in fellowship training ~~which leads to a~~
30 ~~subspecialty board certification~~ in a hospital or teaching
31 hospital of this state for more than 2 years without a valid,

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1 active license or renewal of registration under this section.
2 Requirements for renewal of registration shall be established
3 by rule of the board. An application fee not to exceed \$300
4 as set by the board shall accompany the application for
5 renewal, except that resident physicians, assistant resident
6 physicians, interns, and fellows in fellowship training
7 registered under this section ~~which leads to subspecialty~~
8 ~~board certification~~ shall be exempt from payment of any
9 renewal fees.

10 (5) Notwithstanding any provision of this section or
11 s. 120.52 to the contrary, any person who is registered under
12 this section is subject to the provisions of s. 458.331.

13 (6) A person registered as a resident physician under
14 this section may in the normal course of his or her employment
15 prescribe medicinal drugs described in schedules set out in
16 chapter 893 when:

17 (a) The person prescribes such medicinal drugs through
18 use of a Drug Enforcement Administration number issued to the
19 hospital or teaching hospital by which the person is employed
20 or at which the person's services are used;

21 (b) The person is identified by a discrete suffix to
22 the identification number issued to such ~~the~~ hospital; and

23 (c) The use of the institutional identification number
24 and individual suffixes conforms to the requirements of the
25 federal Drug Enforcement Administration.

26 (7) Any person willfully violating this section
27 commits a misdemeanor of the first degree, punishable as
28 provided in s. 775.082 or s. 775.083.

29 (8) The board shall adopt rules to administer this
30 section.

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1 (Redesignate subsequent sections.)

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

5 And the title is amended as follows:

6 On page 1, lines 2-8, delete those lines

7

8 and insert:

9 An act relating to temporary physician
10 licensure; creating s. 458.3135, F.S.;
11 providing for the issuance of temporary
12 certificates to foreign medical graduates
13 studying at National Cancer
14 Institute-designated cancer centers; requiring
15 a fee; amending s. 458.315, F.S.; waiving
16 application and licensure fees for physicians
17 obtaining a temporary certificate to practice
18 in areas of critical need when such practice is
19 limited to volunteer, uncompensated care for
20 low-income persons; amending s. 458.345, F.S.;
21 providing for registration of certain
22 unlicensed physicians to practice at teaching
23 hospitals; providing rulemaking authority;
24 providing an effective date.

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