

By the Committee on Health Regulation and Representatives  
Farkas, Sobel, Ritter, Alexander, Fiorentino, Siplin and  
Johnson

1                                   A bill to be entitled  
2           An act relating to health care practitioner  
3           credentialing; amending s. 456.047, F.S.;  
4           providing intent; revising and providing  
5           definitions; revising duties of the Department  
6           of Health relating to file maintenance;  
7           providing that primary source data verified by  
8           the department or its designee may be relied  
9           upon to meet accreditation purposes; providing  
10          an 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. Section 456.047, Florida Statutes, is  
15 amended to read:  
16           456.047 Standardized credentialing for health care  
17 practitioners.--

18           (1) INTENT.--The Legislature recognizes that an  
19 efficient and effective health care practitioner credentialing  
20 program helps to ensure access to quality health care and also  
21 recognizes that health care practitioner credentialing  
22 activities have increased significantly as a result of health  
23 care reform and recent changes in health care delivery and  
24 reimbursement systems. Moreover, the resulting duplication of  
25 health care practitioner credentialing activities is  
26 unnecessarily costly and cumbersome for both the practitioner  
27 and the entity granting practice privileges. Therefore, it is  
28 the intent of this section that a credentials collection  
29 program be established which provides that, once a health care  
30 practitioner's core credentials data are collected, they need  
31 not be collected again, except for corrections, updates, and

1 modifications thereto. Furthermore, it is the intent of the  
2 Legislature that the department and all entities and  
3 practitioners work cooperatively to ensure the integrity and  
4 accuracy of the program. Participation under this section  
5 shall include those individuals licensed under chapter 458,  
6 chapter 459, chapter 460, chapter 461, or s. 464.012. However,  
7 the department shall, with the approval of the applicable  
8 board, include other professions under the jurisdiction of the  
9 Division of Medical Quality Assurance in this program,  
10 provided they meet the requirements of s. 456.039 or s.  
11 456.0391.

12 (2) DEFINITIONS.--As used in this section, the term:

13 (a) "Certified" or "accredited," as applicable, means  
14 approved by a quality assessment program, from the National  
15 Committee for Quality Assurance, the Joint Commission on  
16 Accreditation of Healthcare Organizations, the American  
17 Accreditation HealthCare Commission/URAC, or any such other  
18 nationally recognized and accepted organization authorized by  
19 the department, used to assess and certify any credentials  
20 verification program, entity, or organization that verifies  
21 the credentials of any health care practitioner.

22 (b) "Core credentials data" means data that is primary  
23 source verified and includes ~~the following data: current name,~~  
24 ~~any former name, and any alias, any professional education,~~  
25 ~~professional training, licensure, current Drug Enforcement~~  
26 ~~Administration certification, social security number,~~  
27 ~~specialty board certification, Educational Commission for~~  
28 ~~Foreign Medical Graduates certification, and hospital or other~~  
29 ~~institutional affiliations, evidence of professional liability~~  
30 ~~coverage or evidence of financial responsibility as required~~  
31 ~~by s. 458.320, s. 459.0085, or s. 456.048, history of claims,~~

1 ~~suits, judgments, or settlements,~~final disciplinary action  
2 reported pursuant to s. 456.039(1)(a)8. or s. 456.0391(1)(a)8.  
3 The department may by rule designate additional core  
4 credentials data elements,~~and Medicare or Medicaid sanctions.~~

5 (c) "Credential" or "credentialing" means the process  
6 of assessing and verifying the qualifications of a licensed  
7 health care practitioner or applicant for licensure as a  
8 health care practitioner.

9 (d) "Credentials verification organization" means any  
10 organization certified or accredited as a credentials  
11 verification organization.

12 (e) "Department" means the Department of Health,  
13 Division of Medical Quality Assurance.

14 (f) "Designated credentials verification organization"  
15 means the credentials verification organization which is  
16 selected by the health care practitioner, if the health care  
17 practitioner chooses to make such a designation.

18 (g) "Drug Enforcement Administration certification"  
19 means certification issued by the Drug Enforcement  
20 Administration for purposes of administration or prescription  
21 of controlled substances. Submission of such certification  
22 under this section must include evidence that the  
23 certification is current and must also include all current  
24 addresses to which the certificate is issued.

25 (h) "Health care entity" means:

26 1. Any health care facility or other health care  
27 organization licensed or certified to provide approved medical  
28 and allied health services in this state;

29 2. Any entity licensed by the Department of Insurance  
30 as a prepaid health care plan or health maintenance  
31 organization or as an insurer to provide coverage for health

1 care services through a network of providers or similar  
2 organization licensed under chapter 627, chapter 636, chapter  
3 641, or chapter 651; or

4 3. Any accredited medical school in this state.

5 (i) "Health care practitioner" means any person  
6 licensed, or, for credentialing purposes only, any person  
7 applying for licensure, under chapter 458, chapter 459,  
8 chapter 460, chapter 461, or s. 464.012 or any person licensed  
9 or applying for licensure under a chapter subsequently made  
10 subject to this section by the department with the approval of  
11 the applicable board, except a person registered or applying  
12 for registration pursuant to s. 458.345 or s. 459.021.

13 ~~(j) "Hospital or other institutional affiliations"~~  
14 ~~means each hospital or other institution for which the health~~  
15 ~~care practitioner or applicant has provided medical services.~~  
16 ~~Submission of such information under this section must~~  
17 ~~include, for each hospital or other institution, the name and~~  
18 ~~address of the hospital or institution, the staff status of~~  
19 ~~the health care practitioner or applicant at that hospital or~~  
20 ~~institution, and the dates of affiliation with that hospital~~  
21 ~~or institution.~~

22 (j)(k) "National accrediting organization" means an  
23 organization that awards accreditation or certification to  
24 hospitals, managed care organizations, credentials  
25 verification organizations, or other health care  
26 organizations, including, but not limited to, the Joint  
27 Commission on Accreditation of Healthcare Organizations, the  
28 American Accreditation HealthCare Commission/URAC, and the  
29 National Committee for Quality Assurance.

30 (k) "Primary source verification" means verification  
31 of professional qualifications based on evidence obtained

1 directly from the issuing source of the applicable  
2 qualification or from any other source deemed as a primary  
3 source for such verification by the department or an  
4 accrediting body approved by the department.

5 (1) "Professional training" means any internship,  
6 residency, or fellowship relating to the profession for which  
7 the health care practitioner is licensed or seeking licensure.

8 (m) "Specialty board certification" means  
9 certification in a specialty issued by a specialty board  
10 recognized by the board in this state that regulates the  
11 profession for which the health care practitioner is licensed  
12 or seeking licensure.

13 (3) STANDARDIZED CREDENTIALS VERIFICATION PROGRAM.--

14 (a) Every health care practitioner shall:

15 1. Report all core credentials data to the department  
16 which is not already on file with the department, either by  
17 designating a credentials verification organization to submit  
18 the data or by submitting the data directly.

19 2. Notify the department within 45 days of any  
20 corrections, updates, or modifications to the core credentials  
21 data either through his or her designated credentials  
22 verification organization or by submitting the data directly.  
23 Corrections, updates, and modifications to the core  
24 credentials data provided the department under this section  
25 shall comply with the updating requirements of s. 456.039(3)  
26 or s. 456.0391(3) related to profiling.

27 (b) The department shall:

28 1. Maintain a complete, current file of applicable  
29 core credentials data on each health care practitioner, which  
30 shall include data provided in accordance with subparagraph  
31

1 (a)1. and all updates provided in accordance with subparagraph  
2 (a)2.

3           2. Release the core credentials data that is otherwise  
4 confidential or exempt from the provisions of chapter 119 and  
5 s. 24(a), Art. I of the State Constitution and any  
6 corrections, updates, and modifications thereto, if authorized  
7 by the health care practitioner.

8           3. Charge a fee to access the core credentials data,  
9 which may not exceed the actual cost, including prorated setup  
10 and operating costs, pursuant to the requirements of chapter  
11 119.

12           4. Develop standardized forms to be used by the health  
13 care practitioner or designated credentials verification  
14 organization for the initial reporting of core credentials  
15 data, for the health care practitioner to authorize the  
16 release of core credentials data, and for the subsequent  
17 reporting of corrections, updates, and modifications thereto.

18           (c) A registered credentials verification organization  
19 may be designated by a health care practitioner to assist the  
20 health care practitioner to comply with the requirements of  
21 subparagraph (a)2. A designated credentials verification  
22 organization shall:

23           1. Timely comply with the requirements of subparagraph  
24 (a)2., pursuant to rules adopted by the department.

25           2. Not provide the health care practitioner's core  
26 credentials data, including all corrections, updates, and  
27 modifications, without the authorization of the practitioner.

28           (d) This section shall not be construed to restrict in  
29 any way the authority of the health care entity to credential  
30 and to approve or deny an application for hospital staff  
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1 membership, clinical privileges, or managed care network  
2 participation.

3 (4) DUPLICATION OF DATA PROHIBITED.--

4 (a) A health care entity or credentials verification  
5 organization is prohibited from collecting or attempting to  
6 collect duplicate core credentials data from any health care  
7 practitioner if the information is available from the  
8 department. This section shall not be construed to restrict  
9 the right of any health care entity or credentials  
10 verification organization to collect additional information  
11 from the health care practitioner which is not included in the  
12 core credentials data file. This section shall not be  
13 construed to prohibit a health care entity or credentials  
14 verification organization from obtaining all necessary  
15 attestation and release form signatures and dates.

16 (b) Effective July 1, 2002, a state agency in this  
17 state which credentials health care practitioners may not  
18 collect or attempt to collect duplicate core credentials data  
19 from any individual health care practitioner if the  
20 information is already available from the department. This  
21 section shall not be construed to restrict the right of any  
22 such state agency to request additional information not  
23 included in the core credentials ~~credential~~ data file, but  
24 which is deemed necessary for the agency's specific  
25 credentialing purposes.

26 (5) STANDARDS AND REGISTRATION.--Any credentials  
27 verification organization that does business in this state  
28 must be fully accredited or certified as a credentials  
29 verification organization by a national accrediting  
30 organization as specified in paragraph (2)(a) and must  
31 register with the department. The department may charge a

1 reasonable registration fee, not to exceed an amount  
2 sufficient to cover its actual expenses in providing and  
3 enforcing such registration. The department shall establish by  
4 rule for biennial renewal of such registration. Failure by a  
5 registered credentials verification organization to maintain  
6 full accreditation or certification, to provide data as  
7 authorized by the health care practitioner, to report to the  
8 department changes, updates, and modifications to a health  
9 care practitioner's records within the time period specified  
10 in subparagraph (3)(a)2., or to comply with the prohibition  
11 against collection of duplicate core credentials data from a  
12 practitioner may result in denial of an application for  
13 renewal of registration or in revocation or suspension of a  
14 registration.

15 (6) PRIMARY SOURCE VERIFIED DATA.--Health care  
16 entities and credentials verification organizations may rely  
17 upon any data that has been primary source verified by the  
18 department or its designee to meet primary source verification  
19 requirements of national accrediting organizations.

20 (7)(6) LIABILITY.--No civil, criminal, or  
21 administrative action may be instituted, and there shall be no  
22 liability, against any registered credentials verification  
23 organization or health care entity on account of its reliance  
24 on any data obtained directly from the department.

25 (8)(7) LIABILITY INSURANCE REQUIREMENTS.--Each  
26 credentials verification organization doing business in this  
27 state shall maintain liability insurance appropriate to meet  
28 the certification or accreditation requirements established in  
29 this section.

30 (9)(8) RULES.--The department shall adopt rules  
31 necessary to develop and implement the standardized core



1 credentials data collection program established by this  
2 section.

3 Section 2. This act shall take effect July 1, 2001.

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5 HOUSE SUMMARY

6  
7 Revises provisions relating to health care practitioner  
8 credentialing. Provides additional legislative intent.  
9 Revises and provides definitions. Revises duties of the  
10 Department of Health relating to file maintenance.  
11 Provides that primary source data verified by the  
12 department or its designee may be relied upon to meet  
13 accreditation purposes. See bill for details.  
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