

Amendment No. 32 (for drafter's use only)

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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11 Representative(s) Farkas offered the following:

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13 **Amendment to Amendment (600753) (with title amendment)**

14 On page 129, between lines 5 & 6, of the amendment

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16 insert:

17 Section 85. Subsections (1) and (2) of section
18 458.315, Florida Statutes, are amended 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 (1) The board shall determine the areas of critical
2 need, and the physician so certified may practice in any of
3 those areas for a time to be determined by the board. Such
4 areas shall include, but not be limited to, health
5 professional shortage areas designated by the United States
6 Department of Health and Human Services.

7 (a) A recipient of a temporary certificate for
8 practice in areas of critical need may use the license to work
9 for any approved employer in any area of critical need
10 approved by the board.

11 (b) The recipient of a temporary certificate for
12 practice in areas of critical need shall, within 30 days after
13 accepting employment, notify the board of all approved
14 institutions in which the licensee practices and of all
15 approved institutions where practice privileges have been
16 denied.

17 (c) A physician practicing under a temporary
18 certificate is immune from civil liability for any act or
19 omission by such physician which results in personal injury or
20 property damage if:

21 1. The physician was acting in good faith within the
22 scope of his or her duties and was acting as an ordinary
23 reasonably prudent person would have acted under the same or
24 similar circumstances; and

25 2. The injury or damage was not caused by any wanton
26 or willful misconduct on the part of the physician in the
27 performance of such duties.

28 (2) The board may administer an abbreviated oral
29 examination to determine the physician's competency, but no
30 written regular examination is necessary. Within 60 days after
31 receipt of an application for a temporary certificate, the

1 board shall review the application and issue the temporary
2 certificate or notify the applicant of denial.

3
4 (Renumber subsequent sections)

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

8 And the title is amended as follows:

9 On page 138, line 30, after "claims;" of the amendment

10
11 insert:

12 amending s. 458.315, F.S.; providing that a
13 physician practicing under a temporary
14 certificate is immune from civil liability if
15 acting in good faith as a reasonably prudent
16 person and if the injury or damage is not
17 caused by willful misconduct; providing
18 requirements for the Board of Medicine in
19 issuing temporary certificates;

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