

By the Committee on Health, Aging, and Long-Term Care; and  
Senator Villalobos

317-2256-03

1                                   A bill to be entitled  
2           An act relating to medical practice; creating  
3           s. 458.3137, F.S.; authorizing issuance of  
4           temporary certificates for visiting physicians  
5           to obtain medical privileges for instructional  
6           purposes in conjunction with certain plastic  
7           surgery training programs and plastic surgery  
8           educational symposiums; providing for issuance  
9           of such certificates without examination to  
10          applicants who meet specified requirements;  
11          specifying the validity period of such  
12          certificates; limiting the number of  
13          certificates that may be issued per calendar  
14          year; providing financial responsibility  
15          requirements; providing practice limitations  
16          and conditions; prohibiting issuance of a  
17          certificate to a physician under investigation  
18          for a practice violation in another  
19          jurisdiction; providing an effective date.

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

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23           Section 1.   Section 458.3137, Florida Statutes, is  
24 created to read:

25           458.3137 Temporary certificate for visiting physicians  
26 to obtain medical privileges for instructional purposes in  
27 conjunction with certain plastic surgery training programs and  
28 plastic surgery educational symposiums.--

29           (1) Any physician who has been invited by both:

30           (a) A plastic surgery training program that is

31 affiliated with a medical school within this state that is

1 accredited by the Accreditation Council for Graduate Medical  
2 Education; and

3 (b) An educational symposium cosponsored by the  
4 American Society of Plastic Surgeons, the Plastic Surgery  
5 Educational Foundation, or the American Society for Aesthetic  
6 Plastic Surgery,

7  
8 may be issued a temporary certificate for limited privileges  
9 solely for purposes of providing educational training in  
10 plastic surgery in accordance with the restrictions set forth  
11 in this section.

12 (2) A temporary certificate to practice medicine for  
13 educational purposes to help teach plastic surgery residents  
14 of a medical school within this state in conjunction with a  
15 nationally sponsored educational symposium may be issued  
16 without examination, upon verification by the board that the  
17 individual meets all of the following requirements:

18 (a) Is a graduate of an accredited medical school or  
19 its equivalent or is a graduate of a foreign medical school  
20 listed with the World Health Organization.

21 (b) Holds a valid and unencumbered license to practice  
22 medicine in another state or country.

23 (c) Is a recognized expert in a specific area of  
24 plastic surgery as demonstrated by peer-review publications,  
25 invited lectureships, and academic affiliations.

26 (d) Has completed an application form adopted by the  
27 board and remitted a nonrefundable application fee not to  
28 exceed \$300.

29 (e) Has not committed an act in this or any other  
30 jurisdiction that would constitute a basis for disciplining a  
31 physician under s. 456.072 or s. 458.331.

1           (f) Meets the financial responsibility requirements of  
2 s. 458.320 (1) or (2).

3           (g) Is applying only in connection with both a medical  
4 school within this state that is accredited by the  
5 Accreditation Council for Graduate Medical Education and an  
6 educational symposium sponsored by the American Society of  
7 Plastic Surgeons, the Plastic Surgery Educational Foundation,  
8 or the American Society for Aesthetic Plastic Surgery.

9           (3) A temporary certificate issued under this section  
10 is valid for no more than 3 days per year and such certificate  
11 expires one year after issuance.

12           (4) The department shall not issue more than six  
13 temporary certificates under this section per calendar year.

14           (5) In order for a physician who is a graduate of a  
15 foreign medical school and holds a valid and unencumbered  
16 license to practice medicine in another country but does not  
17 hold a license to practice medicine in this or another state  
18 to obtain a temporary certificate under this section, the  
19 organization sponsoring the educational symposium must pay for  
20 any medical judgments incurred by that physician by obtaining  
21 a surety bond issued by a surety company authorized to do  
22 business in this state or establishing a certificate of  
23 deposit or a guaranteed letter of credit with a licensed and  
24 insured bank or savings institution located in the state. The  
25 amount of the bond, certificate of deposit, or guaranteed  
26 letter of credit shall be an amount not less than \$250,000.

27           (6) A physician applying under this section is exempt  
28 from the requirements of ss. 456.039-456.046. All other  
29 provisions of chapter 456 and this chapter apply.

30           (7) The board shall not issue a temporary certificate  
31 for practice to any physician who is under investigation in

1 another jurisdiction for an act that would constitute a  
2 violation of this chapter or chapter 456 until such time as  
3 the investigation is complete and the physician is found  
4 innocent of all charges.

5 Section 2. This act shall take effect upon becoming a  
6 law.

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8 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
9 COMMITTEE SUBSTITUTE FOR  
10 Senate Bill 2078

11 The Committee Substitute revises requirements for issuance of  
12 temporary certificates to practice medicine with limited  
13 privileges, without examination, solely for purposes of  
14 providing educational training in plastic surgery to plastic  
15 surgery residents of a Florida medical school in conjunction  
16 with a nationally sponsored educational symposium. It imposes  
17 financial responsibility requirements on the  
18 certificateholders to have malpractice insurance or specified  
19 amounts held in a surety bond, letter of credit, or  
20 certificate of deposit. The Committee Substitute specifies a  
21 period in which each certificate must expire and imposes  
22 regulatory conditions and limitations on the practice of  
23 certificateholders.  
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