

Bill No. CS for SB 2750

Amendment No. \_\_\_\_ Barcode 204612

CHAMBER ACTION

Senate

House

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Senator Peaden moved the following amendment:

**Senate Amendment (with title amendment)**

On page 28, line 1, through  
page 38, line 24, delete those lines

and insert:

Section 18. Section 458.303, Florida Statutes, is  
amended to read:

458.303 Provisions not applicable to other  
practitioners; exceptions, etc.--

(1) The provisions of ss. 458.301, 458.303, 458.305,  
458.307, 458.309, 458.311, ~~458.313~~, 458.315, ~~458.317~~, 458.319,  
458.321, 458.327, 458.329, 458.331, 458.337, 458.339, 458.341,  
458.343, 458.345, and 458.347 shall have no application to:

(a) Other duly licensed health care practitioners  
acting within their scope of practice authorized by statute.

(b) Any physician lawfully licensed in another state  
or territory or foreign country, when meeting duly licensed  
physicians of this state in consultation.

(c) Commissioned medical officers of the Armed Forces

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1 of the United States and of the Public Health Service of the  
2 United States while on active duty and while acting within the  
3 scope of their military or public health responsibilities.

4 (d) Any person while actually serving without salary  
5 or professional fees on the resident medical staff of a  
6 hospital in this state, subject to the provisions of s.  
7 458.321.

8 (e) Any person furnishing medical assistance in case  
9 of an emergency.

10 (f) The domestic administration of recognized family  
11 remedies.

12 (g) The practice of the religious tenets of any church  
13 in this state.

14 (h) Any person or manufacturer who, without the use of  
15 drugs or medicine, mechanically fits or sells lenses,  
16 artificial eyes or limbs, or other apparatus or appliances or  
17 is engaged in the mechanical examination of eyes for the  
18 purpose of constructing or adjusting spectacles, eyeglasses,  
19 or lenses.

20 (2) Nothing in s. 458.301, s. 458.303, s. 458.305, s.  
21 458.307, s. 458.309, s. 458.311, ~~s. 458.313~~, s. 458.319, s.  
22 458.321, s. 458.327, s. 458.329, s. 458.331, s. 458.337, s.  
23 458.339, s. 458.341, s. 458.343, s. 458.345, or s. 458.347  
24 shall be construed to prohibit any service rendered by a  
25 registered nurse or a licensed practical nurse, if such  
26 service is rendered under the direct supervision and control  
27 of a licensed physician who provides specific direction for  
28 any service to be performed and gives final approval to all  
29 services performed. Further, nothing in this or any other  
30 chapter shall be construed to prohibit any service rendered by  
31 a medical assistant in accordance with the provisions of s.

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1 458.3485.

2           Section 19. Section 458.311, Florida Statutes, is  
3 amended to read:

4           (Substantial rewording of section. See  
5           s. 458.311, F.S., for present text.)

6           458.311 Licensure; requirements; fees.--

7           (1) Any person desiring to be licensed as a physician  
8 shall apply to the department on forms furnished by the  
9 department. The department shall license each applicant who  
10 the board certifies has met the provisions of this section.

11           (2) Each applicant must demonstrate compliance with  
12 the following:

13           (a) Has completed the application form and remitted a  
14 nonrefundable application fee not to exceed \$500.

15           (b) Is at least 21 years of age.

16           (c) Is of good moral character.

17           (d) Has not committed any act or offense in this or  
18 any other jurisdiction which would constitute the basis for  
19 disciplining a physician pursuant to s. 458.331.

20           (e) Has submitted to the department a set of  
21 fingerprints on a form and under procedures specified by the  
22 department, along with a payment in an amount equal to the  
23 costs incurred by the department for the criminal history  
24 check of the applicant.

25           (f) Has caused to be submitted to the department core  
26 credentials verified by the Federation Credentials  
27 Verification Service of the Federation of State Medical  
28 Boards.

29           (g) For an applicant holding a valid active license in  
30 another state, has submitted evidence of the active licensed  
31 practice of medicine in another jurisdiction for at least 2 of

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1 the immediately preceding 4 years or evidence of successful  
2 completion of either a board-approved postgraduate training  
3 program within 2 years preceding filing of an application or a  
4 board-approved clinical competency examination within the year  
5 preceding the filing of an application for licensure. For  
6 purposes of this paragraph, the term "active licensed practice  
7 of medicine" means that practice of medicine by physicians,  
8 including those employed by any governmental entity in  
9 community or public health, as defined by this chapter, those  
10 designated as medical directors under s. 641.495(11) who are  
11 practicing medicine, and those on the active teaching faculty  
12 of an accredited medical school. If the applicant fails to  
13 meet the requirements of this paragraph, the board may impose  
14 conditions on the license, including, but not limited to,  
15 supervision of practice.

16 (3) Each applicant must demonstrate that he or she has  
17 complied with one of the following:

18 (a) Is a graduate of an allopathic medical school or  
19 allopathic college recognized and approved by an accrediting  
20 agency recognized by the United States Department of Education  
21 or is a graduate of an allopathic medical school or allopathic  
22 college within a territorial jurisdiction of the United States  
23 recognized by the accrediting agency of the governmental body  
24 of that jurisdiction; or

25 (b) Is a graduate of an allopathic international  
26 medical school registered with the World Health Organization  
27 and has had his or her medical credentials evaluated by the  
28 Educational Commission for Foreign Medical Graduates, holds an  
29 active, valid certificate issued by that commission, and has  
30 passed the examination utilized by that commission. However, a  
31 graduate of an international medical school need not present

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1 the certificate issued by the Educational Commission for  
 2 Foreign Medical Graduates or pass the examination utilized by  
 3 that commission if the graduate has:

4 1. Received a bachelor's degree from an accredited  
 5 United States college or university.

6 2. Studied at a medical school which is recognized by  
 7 the World Health Organization.

8 3. Completed all of the formal requirements of the  
 9 international medical school, except the internship or social  
 10 service requirements, and passed part I of the National Board  
 11 of Medical Examiners examination or the Educational Commission  
 12 for Foreign Medical Graduates examination equivalent.

13 4. Completed an academic year of supervised clinical  
 14 training in a hospital affiliated with a medical school  
 15 approved by the Council on Medical Education of the American  
 16 Medical Association and, upon completion, passed part II of  
 17 the National Board of Medical Examiners examination or the  
 18 Educational Commission for Foreign Medical Graduates  
 19 examination equivalent.

20 (4) Each applicant must demonstrate that he or she has  
 21 completed an Accreditation Council for Graduate Medical  
 22 Education (ACGME) approved residency, as defined by board  
 23 rule, of at least 2 years, or a fellowship of at least 2 years  
 24 in one specialty area which is counted toward regular or  
 25 subspecialty certification by a board recognized and certified  
 26 by the American Board of Medical Specialties. However,  
 27 applicants who meet the requirements of paragraph (3)(a) who  
 28 completed their training prior to October 1, 2003, must  
 29 demonstrate completion of at least 1 year of an approved  
 30 residency.

31 (5)(a) Each applicant must demonstrate that he or she

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1 has complied with one of the following examination

2 requirements:

3 1. Prior to January 1, 2000, has obtained a passing  
4 score, as established by rule of the board, on the licensure  
5 examination of the National Board of Medical Examiners (NBME),  
6 the licensure examination of the Federation of State Medical  
7 Boards of the United States, Inc. (FLEX), the United States  
8 Medical Licensing Examination (USMLE), or a combination  
9 thereof;

10 2. On or after January 1, 2000, has obtained a passing  
11 score on all three steps of the United States Medical  
12 Licensing Examination (USMLE); or

13 3. Has obtained a passing score on a state board  
14 examination or the Canadian licensing examination (LLMCC) if  
15 the applicant has a current active license in at least one  
16 other jurisdiction of the United States or Canada and has  
17 practiced pursuant to such licensure continuously for the  
18 immediately preceding 10 years without encumbrance on the  
19 license.

20 (b) As prescribed by board rule, the board may require  
21 an applicant who does not pass any step of the national  
22 licensing examination after five attempts to complete  
23 additional remedial education or training.

24 (c) As prescribed by board rule, the board may require  
25 an applicant who does not pass all steps of the United States  
26 Medical Licensing Examination (USMLE) within 7 years to  
27 complete additional remedial education or training or to  
28 retake the step of the examination which the applicant passed  
29 first.

30 (6) The department and the board shall ensure that  
31 applicants for licensure meet the criteria of this section

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1 through an investigative process.

2       (7) The board may not certify to the department for  
3 licensure any applicant who is under investigation in another  
4 jurisdiction for an offense which would constitute a violation  
5 of this chapter until such investigation is completed. Upon  
6 completion of the investigation, the provisions of s. 458.331  
7 shall apply. Furthermore, the department may not issue an  
8 unrestricted license to any individual who has committed any  
9 act or offense in any jurisdiction which would constitute the  
10 basis for disciplining a physician pursuant to s. 458.331.

11 When the board finds that an individual has committed an act  
12 or offense in any jurisdiction which would constitute the  
13 basis for disciplining a physician pursuant to s. 458.331, the  
14 board may enter an order imposing one or more of the terms set  
15 forth in s. 456.072(2).

16       (8) The board may adopt rules pursuant to ss.  
17 120.536(1) and 120.54 necessary to carry out the provisions of  
18 this section, which shall be applied on a uniform and  
19 consistent basis.

20       (9) When the board determines that any applicant for  
21 licensure has failed to meet, to the board's satisfaction,  
22 each of the appropriate requirements set forth in this  
23 section, it may enter an order requiring one or more of the  
24 following terms:

25           (a) Refusal to certify to the department an  
26 application for licensure, certification, or registration;

27           (b) Certification to the department of an application  
28 for licensure, certification, or registration with  
29 restrictions on the scope of practice of the licensee; or

30           (c) Certification to the department of an application  
31 for licensure, certification, or registration with placement

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1 of the physician on probation for a period of time and subject  
2 to such conditions as the board may specify, including, but  
3 not limited to, requiring the physician to submit to  
4 treatment, attend continuing education courses, submit to  
5 reexamination, or work under the supervision of another  
6 physician.

7 Section 20. Subsection (5) of section 458.3124,  
8 Florida Statutes, is amended to read:

9 458.3124 Restricted license; certain experienced  
10 foreign-trained physicians.--

11 (5) Notwithstanding s. 458.311(3) and ~~(4)(1)(f)~~, a  
12 person who successfully meets the requirements of this section  
13 and who successfully passes Step III of the United States  
14 Medical Licensing Examination is eligible for full licensure  
15 as a physician.

16 Section 21. Section 458.315, Florida Statutes, is  
17 amended to read:

18 (Substantial rewording of section. See  
19 s. 458.315, F.S., for present text.)

20 458.315 Limited licenses.--

21 (1) Any person desiring to obtain a limited license  
22 shall apply to the department on forms furnished by the  
23 department. The department shall license each applicant who  
24 the board certifies:

25 (a) Has submitted to the department, with an  
26 application and fee not to exceed \$300, a statement stating  
27 that he or she has been licensed to practice medicine in any  
28 jurisdiction or territory of the United States or Canada for  
29 at least 2 years and intends to practice only pursuant to the  
30 restrictions of a limited license granted pursuant to this  
31 section. However, if the physician will only use the limited

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1 license for noncompensated practice, and submits a statement  
2 from the employing agency or institution stating that he or  
3 she will not receive compensation for any service involving  
4 the practice of medicine, the application fee and all  
5 licensure fees shall be waived.

6 (b) Has submitted evidence of the active licensed  
7 practice of medicine in any jurisdiction or territory of the  
8 United States or Canada for at least 2 of the immediately  
9 preceding 4 years. For purposes of this paragraph, the term  
10 "active licensed practice of medicine" means that practice of  
11 medicine by physicians, including those employed by any  
12 government entity in community or public health, as defined by  
13 this chapter, those designated as medical directors under s.  
14 641.495(11) who are practicing medicine, and those on the  
15 active teaching faculty of an accredited medical school. If it  
16 has been more than 3 years since active practice was conducted  
17 by the applicant, a licensed physician approved by the board  
18 shall supervise the applicant for a period of 6 months after  
19 he or she is granted a limited license for practice, unless  
20 the board determines that a shorter period of supervision will  
21 be sufficient to ensure that the applicant is qualified for  
22 licensure. Procedures for such supervision shall be  
23 established by the board.

24 (c) Has submitted to the department a set of  
25 fingerprints on a form and under procedures by the department  
26 for the criminal history check of the applicant.

27 (d) Has not committed any act or offense in this or  
28 any other jurisdiction which would constitute the basis for  
29 disciplining a physician pursuant to s. 458.331.

30 (2) After approval of an application under this  
31 section, a limited license may not be issued until the

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1 applicant provides to the board an affidavit that there have  
2 been no substantial changes in his or her status since initial  
3 application.

4 (3) The recipient of a limited license used for  
5 noncompensated practice shall only practice in the employ of  
6 programs or facilities that provide uncompensated health care  
7 services by volunteer licensed health care professionals to  
8 low-income persons whose family income does not exceed 120  
9 percent of the federal poverty level or to uninsured persons.  
10 These facilities shall include, but not be limited to, the  
11 department, community and migrant health centers funded under  
12 s. 330 of the Public Health Service Act, and volunteer health  
13 care provider programs contracted with the department to  
14 provide uncompensated care under the provisions of s.  
15 766.1115.

16 (4) The recipient of a limited license used for  
17 compensated practice shall only practice in the employ of  
18 certain programs and facilities that provide health care  
19 services and are located within federally designated primary  
20 care health professional shortage areas, unless otherwise  
21 approved by the Secretary of Health. These programs and  
22 facilities shall include, but not be limited to, the  
23 department, the Department of Corrections, county or municipal  
24 correctional facilities, the Department of Juvenile Justice,  
25 the Department of Children and Family Services, and those  
26 programs and facilities funded under s. 330 of the Public  
27 Health Service Act.

28 (5) The recipient of a limited license shall, within  
29 30 days after accepting employment, notify the board of all  
30 approved institutions in which the licensee practices and all  
31 approved institutions in which the licensee's practice

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1 privileges have been denied. Evidence of noncompensated  
2 employment shall be required for the fee waiver under  
3 paragraph (1)(a).

4 (6) Upon renewal, a limited licenseholder shall, in  
5 addition to complying with other applicable provisions of this  
6 chapter, document compliance with the restrictions prescribed  
7 in this section.

8 (7) Any person holding an active or inactive license  
9 to practice medicine in the state may convert that license to  
10 a limited license for the purpose of providing volunteer,  
11 uncompensated care for low-income Floridians. The licensee  
12 must submit a statement from the employing agency or  
13 institution stating that he or she will not receive  
14 compensation for any service involving the practice of  
15 medicine. All licensure fees, including neurological injury  
16 compensation assessments, shall be waived.

17 (8) Nothing in this section limits in any way any  
18 policy by the board otherwise authorized by law to grant  
19 licenses to physicians duly licensed in other states under  
20 conditions less restrictive than the requirements of this  
21 section. Notwithstanding any other provision of this section,  
22 the board may refuse to authorize a physician otherwise  
23 qualified to practice in the employ of any agency or  
24 institution otherwise qualified if the agency or institution  
25 has caused or permitted violations of the provisions of this  
26 chapter which it knew or should have known were occurring.

27 Section 22. Subsection (4) of section 458.319, Florida  
28 Statutes, is amended to read:

29 458.319 Renewal of license.--

30 ~~(4) Notwithstanding the provisions of s. 456.033, A~~  
31 ~~physician may complete continuing education on end-of-life~~

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1 care and palliative care in lieu of continuing education in  
2 AIDS/HIV, if that physician has completed the AIDS/HIV  
3 continuing education in the immediately preceding biennium.

4 Section 23. Paragraph (c) of subsection (5) of section  
5 458.320, Florida Statutes, is amended to read:

6 458.320 Financial responsibility.--

7 (5) The requirements of subsections (1), (2), and (3)  
8 shall not apply to:

9 (c) Any person holding a limited license pursuant to  
10 s. ~~458.315~~ ~~458.317~~ and practicing under the scope of such  
11 limited license.

12 Section 24. Any physician who meets the requirements  
13 for limited licensure under section 458.315 or section  
14 459.0075, Florida Statutes, may be certified by the Board of  
15 Medicine or the Board of Osteopathic Medicine for a limited  
16 license to conduct clinical research if the physician  
17 previously held a Florida medical license that was  
18 unencumbered and not under investigation at the time that the  
19 license became null and void for nonrenewal or was voluntarily  
20 surrendered.

21 Section 25. Paragraph (t) of subsection (1) and  
22 subsections (6) and (9) of section 458.331, Florida Statutes,  
23 are amended to read:

24 458.331 Grounds for disciplinary action; action by the  
25 board and department.--

26 (1) The following acts constitute grounds for denial  
27 of a license or disciplinary action, as specified in s.  
28 456.072(2):

29 (t) Gross or repeated malpractice or the failure to  
30 practice medicine with that level of care, skill, and  
31 treatment which is recognized by a reasonably prudent similar

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1 physician as being acceptable under similar conditions and  
2 circumstances. The board shall give great weight to the  
3 provisions of s. 766.102 when enforcing this paragraph. As  
4 used in this paragraph, "repeated malpractice" includes, but  
5 is not limited to, three or more claims for medical  
6 malpractice within the previous 5-year period resulting in  
7 indemnities being paid in excess of ~~\$50,000~~~~\$25,000~~ each to  
8 the claimant in a judgment or settlement and which incidents  
9 involved negligent conduct by the physician. As used in this  
10 paragraph, "gross malpractice" or "the failure to practice  
11 medicine with that level of care, skill, and treatment which  
12 is recognized by a reasonably prudent similar physician as  
13 being acceptable under similar conditions and circumstances,"  
14 shall not be construed so as to require more than one  
15 instance, event, or act. Nothing in this paragraph shall be  
16 construed to require that a physician be incompetent to  
17 practice medicine in order to be disciplined pursuant to this  
18 paragraph.

19 (6) Upon the department's receipt from an insurer or  
20 self-insurer of a report of a closed claim against a physician  
21 pursuant to s. 627.912 or from a health care practitioner of a  
22 report pursuant to s. 456.049, or upon the receipt from a  
23 claimant of a presuit notice against a physician pursuant to  
24 s. 766.106, the department shall review each report and  
25 determine whether it potentially involved conduct by a  
26 licensee that is subject to disciplinary action, in which case  
27 the provisions of s. 456.073 shall apply. However, if it is  
28 reported that a physician has had three or more claims with  
29 indemnities exceeding ~~\$50,000~~~~\$25,000~~ each within the previous  
30 5-year period, the department shall investigate the  
31 occurrences upon which the claims were based and determine if

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1 action by the department against the physician is warranted.

2 (9) When an investigation of a physician is  
3 undertaken, the department shall promptly furnish to the  
4 physician or the physician's attorney a copy of the complaint  
5 or document which resulted in the initiation of the  
6 investigation. For purposes of this subsection, such documents  
7 include, but are not limited to: the pertinent portions of an  
8 annual report submitted to the department pursuant to s.  
9 395.0197(6); a report of an adverse incident which is provided  
10 to the department pursuant to s. 395.0197; a report of peer  
11 review disciplinary action submitted to the department  
12 pursuant to s. 395.0193(4) or s. 458.337, providing that the  
13 investigations, proceedings, and records relating to such peer  
14 review disciplinary action shall continue to retain their  
15 privileged status even as to the licensee who is the subject  
16 of the investigation, as provided by ss. 395.0193(8) and  
17 458.337(3); a report of a closed claim submitted pursuant to  
18 s. 627.912; a presuit notice submitted pursuant to s.  
19 766.106(2); and a petition brought under the Florida  
20 Birth-Related Neurological Injury Compensation Plan, pursuant  
21 to s. 766.305(2). The physician may submit a written response  
22 to the information contained in the complaint or document  
23 which resulted in the initiation of the investigation within  
24 30 ~~45~~ days after service to the physician of the complaint or  
25 document. The physician's written response shall be considered  
26 by the probable cause panel.

27 Section 26. Paragraph (c) of subsection (1) of section  
28 458.345, Florida Statutes, is amended to read:

29 458.345 Registration of resident physicians, interns,  
30 and fellows; list of hospital employees; prescribing of  
31 medicinal drugs; penalty.--

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1           (1) Any person desiring to practice as a resident  
2 physician, assistant resident physician, house physician,  
3 intern, or fellow in fellowship training which leads to  
4 subspecialty board certification in this state, or any person  
5 desiring to practice as a resident physician, assistant  
6 resident physician, house physician, intern, or fellow in  
7 fellowship training in a teaching hospital in this state as  
8 defined in s. 408.07(44) or s. 395.805(2), who does not hold a  
9 valid, active license issued under this chapter shall apply to  
10 the department to be registered and shall remit a fee not to  
11 exceed \$300 as set by the board. The department shall register  
12 any applicant the board certifies has met the following  
13 requirements:

14           (c) Is a graduate of a medical school or college as  
15 specified in s. 458.311(3)~~(1)(f)~~.

16           Section 27. Paragraph (b) of subsection (7) of section  
17 458.347, Florida Statutes, is amended to read:

18           458.347 Physician assistants.--

19           (7) PHYSICIAN ASSISTANT LICENSURE.--

20           (b)1. Notwithstanding subparagraph (a)2. and  
21 sub-subparagraph (a)3.a., the department shall examine each  
22 applicant who the Board of Medicine certifies:

23           a. Has completed the application form and remitted a  
24 nonrefundable application fee not to exceed \$500 and an  
25 examination fee not to exceed \$300, plus the actual cost to  
26 the department to provide the examination. The examination fee  
27 is refundable if the applicant is found to be ineligible to  
28 take the examination. The department shall not require the  
29 applicant to pass a separate practical component of the  
30 examination. For examinations given after July 1, 1998,  
31 competencies measured through practical examinations shall be

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1 incorporated into the written examination through a  
2 multiple-choice format. The department shall translate the  
3 examination into the native language of any applicant who  
4 requests and agrees to pay all costs of such translation,  
5 provided that the translation request is filed with the board  
6 office no later than 9 months before the scheduled examination  
7 and the applicant remits translation fees as specified by the  
8 department no later than 6 months before the scheduled  
9 examination, and provided that the applicant demonstrates to  
10 the department the ability to communicate orally in basic  
11 English. If the applicant is unable to pay translation costs,  
12 the applicant may take the next available examination in  
13 English if the applicant submits a request in writing by the  
14 application deadline and if the applicant is otherwise  
15 eligible under this section. To demonstrate the ability to  
16 communicate orally in basic English, a passing score or grade  
17 is required, as determined by the department or organization  
18 that developed it, on the test for spoken English (TSE) by the  
19 Educational Testing Service (ETS), the test of English as a  
20 foreign language (TOEFL) by ETS, a high school or college  
21 level English course, or the English examination for  
22 citizenship, Immigration and Naturalization Service. A  
23 notarized copy of an Educational Commission for Foreign  
24 Medical Graduates (ECFMG) certificate may also be used to  
25 demonstrate the ability to communicate in basic English; and  
26       b.(I) Is an unlicensed physician who graduated from a  
27 foreign medical school listed with the World Health  
28 Organization who has not previously taken and failed the  
29 examination of the National Commission on Certification of  
30 Physician Assistants and who has been certified by the Board  
31 of Medicine as having met the requirements for licensure as a

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1 medical doctor by examination as set forth in s.  
2 458.311(2)-(7)(1), (3), (4), and (5), with the exception that  
3 the applicant is not required to have completed an approved  
4 residency of at least 1 year and the applicant is not required  
5 to have passed the licensing examination specified under s.  
6 458.311 or hold a valid, active certificate issued by the  
7 Educational Commission for Foreign Medical Graduates; was  
8 eligible and made initial application for certification as a  
9 physician assistant in this state between July 1, 1990, and  
10 June 30, 1991; and was a resident of this state on July 1,  
11 1990, or was licensed or certified in any state in the United  
12 States as a physician assistant on July 1, 1990; or

13 (II) Completed all coursework requirements of the  
14 Master of Medical Science Physician Assistant Program offered  
15 through the Florida College of Physician's Assistants prior to  
16 its closure in August of 1996. Prior to taking the  
17 examination, such applicant must successfully complete any  
18 clinical rotations that were not completed under such program  
19 prior to its termination and any additional clinical rotations  
20 with an appropriate physician assistant preceptor, not to  
21 exceed 6 months, that are determined necessary by the council.  
22 The boards shall determine, based on recommendations from the  
23 council, the facilities under which such incomplete or  
24 additional clinical rotations may be completed and shall also  
25 determine what constitutes successful completion thereof,  
26 provided such requirements are comparable to those established  
27 by accredited physician assistant programs. This  
28 sub-sub-subparagraph is repealed July 1, 2001.

29 2. The department may grant temporary licensure to an  
30 applicant who meets the requirements of subparagraph 1.

31 Between meetings of the council, the department may grant

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1 temporary licensure to practice based on the completion of all  
2 temporary licensure requirements. All such administratively  
3 issued licenses shall be reviewed and acted on at the next  
4 regular meeting of the council. A temporary license expires 30  
5 days after receipt and notice of scores to the licenseholder  
6 from the first available examination specified in subparagraph  
7 1. following licensure by the department. An applicant who  
8 fails the proficiency examination is no longer temporarily  
9 licensed, but may apply for a one-time extension of temporary  
10 licensure after reapplying for the next available examination.  
11 Extended licensure shall expire upon failure of the  
12 licenseholder to sit for the next available examination or  
13 upon receipt and notice of scores to the licenseholder from  
14 such examination.

15           3. Notwithstanding any other provision of law, the  
16 examination specified pursuant to subparagraph 1. shall be  
17 administered by the department only five times. Applicants  
18 certified by the board for examination shall receive at least  
19 6 months' notice of eligibility prior to the administration of  
20 the initial examination. Subsequent examinations shall be  
21 administered at 1-year intervals following the reporting of  
22 the scores of the first and subsequent examinations. For the  
23 purposes of this paragraph, the department may develop,  
24 contract for the development of, purchase, or approve an  
25 examination that adequately measures an applicant's ability to  
26 practice with reasonable skill and safety. The minimum passing  
27 score on the examination shall be established by the  
28 department, with the advice of the board. Those applicants  
29 failing to pass that examination or any subsequent examination  
30 shall receive notice of the administration of the next  
31 examination with the notice of scores following such

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1 examination. Any applicant who passes the examination and  
2 meets the requirements of this section shall be licensed as a  
3 physician assistant with all rights defined thereby.

4 Section 28. Subsection (5) of section 459.008, Florida  
5 Statutes, is amended to read:

6 459.008 Renewal of licenses and certificates.--

7 (5) ~~Notwithstanding the provisions of s. 456.033,~~ An  
8 osteopathic physician may complete continuing education on  
9 end-of-life and palliative care in lieu of continuing  
10 education in AIDS/HIV, if that physician has completed the  
11 AIDS/HIV continuing education in the immediately preceding  
12 biennium.

13  
14 (Redesignate subsequent sections.)

15  
16

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

18 And the title is amended as follows:

19 On page 3, lines 7-23, delete those lines

20

21 and insert:

22 amending s. 458.303, F.S.; conforming  
23 cross-references; amending s. 458.311, F.S. ;  
24 consolidating and revising provisions relating  
25 to requirements for licensure of physicians;  
26 amending s. 458.3124, F.S.; conforming a  
27 cross-reference; amending s. 458.315, F.S. ;  
28 consolidating and revising provisions relating  
29 to requirements for limited licensure of  
30 physicians; amending s. 458.319, F.S.; deleting  
31 a cross-reference; amending s. 458.320, F.S. ;

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1 conforming a cross-reference; providing  
2 requirements for issuance of a physician's  
3 license for clinical research purposes;  
4 amending s. 458.331, F.S.; increasing the  
5 threshold amount of claims against a physician  
6 which represent repeated malpractice; revising  
7 a reporting requirement, to conform; reducing  
8 the time period for a physician to respond to  
9 information contained in a complaint or other  
10 documentation; amending ss. 458.345 and  
11 458.347, F.S.; conforming cross-references;  
12 amending s. 459.008, F.S.; deleting a  
13 cross-reference;

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