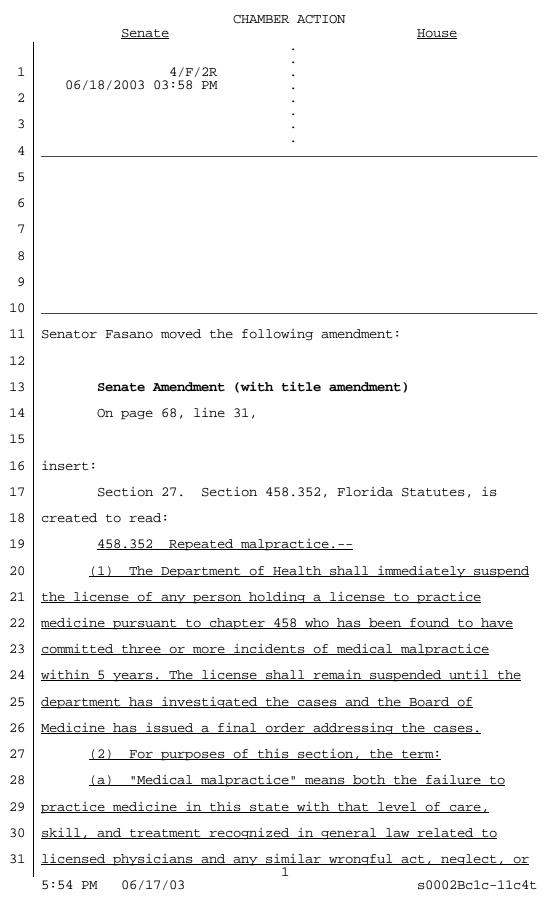
Bill No. CS for SB 2-B

Amendment No. \_\_\_\_ Barcode 140546



Bill No. CS for SB 2-B Amendment No. Barcode 140546 default in any other state or country which, if committed in 1 1 this state would be considered medical malpractice. 2 3 (b) "Found to have committed" means that the malpractice has been found pursuant to a final judgment of a 4 5 court of law, a final decision by an administrative agency, or a decision of binding arbitration, which judgment or decisions б 7 must be in unrelated matters. (3) The Department of Health may adopt rules to 8 9 administer this section. Section 28. Section 459.027, Florida Statutes, is 10 11 created to read: 459.027 Repeated malpractice.--12 (1) The Department of Health shall immediately suspend 13 the license of any person holding a license to practice 14 15 osteopathic medicine pursuant to chapter 459 who has been 16 found to have committed three or more incidents of medical malpractice within 5 years. The license shall remain suspended 17 until the department has investigated the cases and the Board 18 19 of Osteopathic Medicine has issued a final order addressing 20 the cases. (2) For purposes of this section, the term: 21 (a) "Medical malpractice" means both the failure to 2.2 practice osteopathic medicine in this state with that level of 23 care, skill, and treatment recognized in general law related 24 25 to licensed osteopathic physicians and any similar wrongful act, neglect, or default in any other state or country which, 26 27 if committed in this state would be considered medical malpractice. 2.8 (b) "Found to have committed" means that the 29 malpractice has been found pursuant to a final judgment of a 30 31 <u>court of law, a final decision by an administrative agency, or</u> 5:54 PM 06/17/03 s0002Bc1c-11c4t

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Bill No. <u>CS for SB 2-B</u>
   Amendment No. ____ Barcode 140546
1 ] a decision of binding arbitration, which judgment or decisions
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   must be in unrelated matters.
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         (3) The Department of Health may adopt rules to
 4
   administer this section.
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б
   (Redesignate subsequent sections.)
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   And the title is amended as follows:
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          On page 8, line 2, after the semicolon,
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12
13
   insert:
14
          creating ss. 458.352 and 459.027, F.S.;
15
          providing sanctions for repeated malpractice by
16
          a physician or an osteopathic physician;
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          providing definitions; authorizing the
          Department of Health to adopt rules;
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