

Bill No. CS for SB 2448

Amendment No. ____ Barcode 841272

CHAMBER ACTION

Senate

House

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Senator Diaz de la Portilla moved the following amendment:

Senate Amendment (with title amendment)

On page 63, between lines 16 and 17,

insert:

Section 42. Section 458.3312, Florida Statutes, is amended to read:

458.3312 Specialties.--A physician licensed under this chapter may not hold himself or herself out as a board-certified specialist unless the physician has received formal recognition as a specialist from a specialty board of the American Board of Medical Specialties, a board of certification of the American Association of Physician Specialists, Inc., or another other recognizing agency approved by the board. The American Board of Medical Specialties and the American Association of Physician Specialists, Inc., may not lower their standards for board certification. The board may act to rescind this recognition of the American Board of Medical Specialties or the American Association of Physician Specialists, Inc., as specialty

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1 certifying organizations only if it establishes by clear and
2 convincing evidence that certification standards have been
3 adopted which affirmatively lower the requirements for
4 specialty certification of that organization. However, a
5 physician may indicate the services offered and may state that
6 his or her practice is limited to one or more types of
7 services when this accurately reflects the scope of practice
8 of the physician.

9 Section 43. Paragraph (a) of subsection (1) of section
10 456.039, Florida Statutes, is amended to read:

11 456.039 Designated health care professionals;
12 information required for licensure.--

13 (1) Each person who applies for initial licensure as a
14 physician under chapter 458, chapter 459, chapter 460, or
15 chapter 461, except a person applying for registration
16 pursuant to ss. 458.345 and 459.021, must, at the time of
17 application, and each physician who applies for license
18 renewal under chapter 458, chapter 459, chapter 460, or
19 chapter 461, except a person registered pursuant to ss.
20 458.345 and 459.021, must, in conjunction with the renewal of
21 such license and under procedures adopted by the Department of
22 Health, and in addition to any other information that may be
23 required from the applicant, furnish the following information
24 to the Department of Health:

25 (a)1. The name of each medical school that the
26 applicant has attended, with the dates of attendance and the
27 date of graduation, and a description of all graduate medical
28 education completed by the applicant, excluding any coursework
29 taken to satisfy medical licensure continuing education
30 requirements.

31 2. The name of each hospital at which the applicant

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1 has privileges.

2 3. The address at which the applicant will primarily
3 conduct his or her practice.

4 4. Any certification that the applicant has received
5 from a specialty board that is recognized by the board to
6 which the applicant is applying.

7 5. The year that the applicant began practicing
8 medicine.

9 6. Any appointment to the faculty of a medical school
10 which the applicant currently holds and an indication as to
11 whether the applicant has had the responsibility for graduate
12 medical education within the most recent 10 years.

13 7. A description of any criminal offense of which the
14 applicant has been found guilty, regardless of whether
15 adjudication of guilt was withheld, or to which the applicant
16 has pled guilty or nolo contendere. A criminal offense
17 committed in another jurisdiction which would have been a
18 felony or misdemeanor if committed in this state must be
19 reported. If the applicant indicates that a criminal offense
20 is under appeal and submits a copy of the notice for appeal of
21 that criminal offense, the department must state that the
22 criminal offense is under appeal if the criminal offense is
23 reported in the applicant's profile. If the applicant
24 indicates to the department that a criminal offense is under
25 appeal, the applicant must, upon disposition of the appeal,
26 submit to the department a copy of the final written order of
27 disposition.

28 8. A description of any final disciplinary action
29 taken within the previous 10 years against the applicant by
30 the agency regulating the profession that the applicant is or
31 has been licensed to practice, whether in this state or in any

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1 other jurisdiction, by a specialty board that is recognized by
 2 the American Board of Medical Specialties, the American
 3 Association of Physician Specialists, Inc., the American
 4 Osteopathic Association, or a similar national organization,
 5 or by a licensed hospital, health maintenance organization,
 6 prepaid health clinic, ambulatory surgical center, or nursing
 7 home. Disciplinary action includes resignation from or
 8 nonrenewal of medical staff membership or the restriction of
 9 privileges at a licensed hospital, health maintenance
 10 organization, prepaid health clinic, ambulatory surgical
 11 center, or nursing home taken in lieu of or in settlement of a
 12 pending disciplinary case related to competence or character.
 13 If the applicant indicates that the disciplinary action is
 14 under appeal and submits a copy of the document initiating an
 15 appeal of the disciplinary action, the department must state
 16 that the disciplinary action is under appeal if the
 17 disciplinary action is reported in the applicant's profile.

18 9. Relevant professional qualifications as defined by
 19 the applicable board.

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

23 And the title is amended as follows:

24 On page 7, line 1, after the semicolon,

25
 26 and insert:

27 amending s. 458.3312, F.S.; authorizing
 28 physicians to be certified as specialists by a
 29 board of certification of the American
 30 Association of Physician Specialists, Inc.;

31 prohibiting the lowering of standards by

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certain certification organizations; providing
for the Board of Medicine to rescind authority
under certain circumstances; amending s.
456.039, F.S., to conform;