

CHAMBER ACTION

1 The Committee on Health Care recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to medical specialties; amending s.
7 458.3312, F.S.; authorizing physicians to be certified as
8 specialists by a board of certification of the American
9 Association of Physician Specialists, Inc.; prohibiting
10 lowering of certification standards; providing for
11 rescinding of certification authority under certain
12 circumstances; amending s. 456.039, F.S., to conform;
13 providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Section 458.3312, Florida Statutes, is amended
18 to read:

19 458.3312 Specialties.--A physician licensed under this
20 chapter may not hold himself or herself out as a board-certified
21 specialist unless the physician has received formal recognition
22 as a specialist from a specialty board of the American Board of
23 Medical Specialties, a board of certification of the American

24 | Association of Physician Specialists, Inc., or another ~~other~~
 25 | recognizing agency approved by the board. The American Board of
 26 | Medical Specialties and the American Association of Physician
 27 | Specialists, Inc., may not lower their standards for board
 28 | certification. The board may act to rescind recognition of the
 29 | American Board of Medical Specialties or the American
 30 | Association of Physician Specialists, Inc., as a specialty
 31 | certifying organization only if it establishes by clear and
 32 | convincing evidence that certification standards have been
 33 | adopted that affirmatively lower the requirements for specialty
 34 | certification by that organization. However, a physician may
 35 | indicate the services offered and may state that his or her
 36 | practice is limited to one or more types of services when this
 37 | accurately reflects the scope of practice of the physician.

38 | Section 2. Paragraph (a) of subsection (1) of section
 39 | 456.039, Florida Statutes, is amended to read:

40 | 456.039 Designated health care professionals; information
 41 | required for licensure.--

42 | (1) Each person who applies for initial licensure as a
 43 | physician under chapter 458, chapter 459, chapter 460, or
 44 | chapter 461, except a person applying for registration pursuant
 45 | to ss. 458.345 and 459.021, must, at the time of application,
 46 | and each physician who applies for license renewal under chapter
 47 | 458, chapter 459, chapter 460, or chapter 461, except a person
 48 | registered pursuant to ss. 458.345 and 459.021, must, in
 49 | conjunction with the renewal of such license and under
 50 | procedures adopted by the Department of Health, and in addition
 51 | to any other information that may be required from the

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52 | applicant, furnish the following information to the Department
53 | of Health:

54 | (a)1. The name of each medical school that the applicant
55 | has attended, with the dates of attendance and the date of
56 | graduation, and a description of all graduate medical education
57 | completed by the applicant, excluding any coursework taken to
58 | satisfy medical licensure continuing education requirements.

59 | 2. The name of each hospital at which the applicant has
60 | privileges.

61 | 3. The address at which the applicant will primarily
62 | conduct his or her practice.

63 | 4. Any certification that the applicant has received from
64 | a specialty board that is recognized by the board to which the
65 | applicant is applying.

66 | 5. The year that the applicant began practicing medicine.

67 | 6. Any appointment to the faculty of a medical school
68 | which the applicant currently holds and an indication as to
69 | whether the applicant has had the responsibility for graduate
70 | medical education within the most recent 10 years.

71 | 7. A description of any criminal offense of which the
72 | applicant has been found guilty, regardless of whether
73 | adjudication of guilt was withheld, or to which the applicant
74 | has pled guilty or nolo contendere. A criminal offense committed
75 | in another jurisdiction which would have been a felony or
76 | misdemeanor if committed in this state must be reported. If the
77 | applicant indicates that a criminal offense is under appeal and
78 | submits a copy of the notice for appeal of that criminal
79 | offense, the department must state that the criminal offense is

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80 | under appeal if the criminal offense is reported in the
81 | applicant's profile. If the applicant indicates to the
82 | department that a criminal offense is under appeal, the
83 | applicant must, upon disposition of the appeal, submit to the
84 | department a copy of the final written order of disposition.

85 | 8. A description of any final disciplinary action taken
86 | within the previous 10 years against the applicant by the agency
87 | regulating the profession that the applicant is or has been
88 | licensed to practice, whether in this state or in any other
89 | jurisdiction, by a specialty board that is recognized by the
90 | American Board of Medical Specialties, the American Association
91 | of Physician Specialists, Inc., the American Osteopathic
92 | Association, or a similar national organization, or by a
93 | licensed hospital, health maintenance organization, prepaid
94 | health clinic, ambulatory surgical center, or nursing home.
95 | Disciplinary action includes resignation from or nonrenewal of
96 | medical staff membership or the restriction of privileges at a
97 | licensed hospital, health maintenance organization, prepaid
98 | health clinic, ambulatory surgical center, or nursing home taken
99 | in lieu of or in settlement of a pending disciplinary case
100 | related to competence or character. If the applicant indicates
101 | that the disciplinary action is under appeal and submits a copy
102 | of the document initiating an appeal of the disciplinary action,
103 | the department must state that the disciplinary action is under
104 | appeal if the disciplinary action is reported in the applicant's
105 | profile.

106 | 9. Relevant professional qualifications as defined by the
107 | applicable board.

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108 | Section 3. This act shall take effect upon becoming a law. |