

1 A bill to be entitled
 2 An act relating to medical specialties; amending s.
 3 458.3312, F.S.; authorizing physicians to be certified as
 4 specialists by a board of certification of the American
 5 Association of Physician Specialists, Inc.; prohibiting
 6 lowering of certification standards; providing for
 7 rescinding of certification authority under certain
 8 circumstances; amending s. 456.039, F.S., to conform;
 9 providing an effective date.

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

12

13 Section 1. Section 458.3312, Florida Statutes, is amended
 14 to read:

15 458.3312 Specialties.--A physician licensed under this
 16 chapter may not hold himself or herself out as a board-certified
 17 specialist unless the physician has received formal recognition
 18 as a specialist from a specialty board of the American Board of
 19 Medical Specialties, a board of certification of the American
 20 Association of Physician Specialists, Inc., or another ~~other~~
 21 recognizing agency approved by the board. The American Board of
 22 Medical Specialties and the American Association of Physician
 23 Specialists, Inc., may not lower their standards for board
 24 certification. The board may act to rescind recognition of the
 25 American Board of Medical Specialties or the American
 26 Association of Physician Specialists, Inc., as a specialty
 27 certifying organization only if it establishes by clear and
 28 convincing evidence that certification standards have been

29 | adopted that affirmatively lower the requirements for specialty
30 | certification by that organization. However, a physician may
31 | indicate the services offered and may state that his or her
32 | practice is limited to one or more types of services when this
33 | accurately reflects the scope of practice of the physician.

34 | Section 2. Paragraph (a) of subsection (1) of section
35 | 456.039, Florida Statutes, is amended to read:

36 | 456.039 Designated health care professionals; information
37 | required for licensure.--

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

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

55 | 2. The name of each hospital at which the applicant has
56 | privileges.

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

59 | 4. Any certification that the applicant has received from
60 | a specialty board that is recognized by the board to which the
61 | applicant is applying.

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

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

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

81 | 8. A description of any final disciplinary action taken
82 | within the previous 10 years against the applicant by the agency
83 | regulating the profession that the applicant is or has been
84 | licensed to practice, whether in this state or in any other

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

102 | 9. Relevant professional qualifications as defined by the
103 | applicable board.

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