

1 sources. The division shall submit a report to the Governor,
2 the President of the Senate, and the Speaker of the House of
3 Representatives by January 1, 2008, and annually thereafter.

4 Section 2. Subsection (1) of section 458.311, Florida
5 Statutes, is amended to read:

6 458.311 Licensure by examination; requirements;
7 fees.--

8 (1) Any person desiring to be licensed as a physician,
9 who does not hold a valid license in any state, shall apply to
10 the department on forms furnished by the department. The
11 department shall license each applicant who the board
12 certifies:

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) For any applicant who has graduated from medical
21 school after October 1, 1992, has completed the equivalent of
22 2 academic years of preprofessional, postsecondary education,
23 as determined by rule of the board, which shall include, at a
24 minimum, courses in such fields as anatomy, biology, and
25 chemistry prior to entering medical school.

26 (f) Meets one of the following medical education and
27 postgraduate training requirements:

28 1.a. Is a graduate of an allopathic medical school or
29 allopathic college recognized and approved by an accrediting
30 agency recognized by the United States Office of Education or
31 is a graduate of an allopathic medical school or allopathic

1 college within a territorial jurisdiction of the United States
2 recognized by the accrediting agency of the governmental body
3 of that jurisdiction;

4 b. If the language of instruction of the medical
5 school is other than English, has demonstrated competency in
6 English through presentation of a satisfactory grade on the
7 Test of Spoken English of the Educational Testing Service or a
8 similar test approved by rule of the board; and

9 c. Has completed an approved residency of at least 1
10 year.

11 2.a. Is a graduate of an allopathic foreign medical
12 school registered with the World Health Organization and
13 certified pursuant to s. 458.314 as having met the standards
14 required to accredit medical schools in the United States or
15 reasonably comparable standards;

16 b. If the language of instruction of the foreign
17 medical school is other than English, has demonstrated
18 competency in English through presentation of the Educational
19 Commission for Foreign Medical Graduates English proficiency
20 certificate or by a satisfactory grade on the Test of Spoken
21 English of the Educational Testing Service or a similar test
22 approved by rule of the board; and

23 c. Has completed an approved residency of at least 1
24 year.

25 3.a. Is a graduate of an allopathic foreign medical
26 school which has not been certified pursuant to s. 458.314;

27 b. Has had his or her medical credentials evaluated by
28 the Educational Commission for Foreign Medical Graduates,
29 holds an active, valid certificate issued by that commission,
30 and has passed the examination utilized by that commission;
31 and

1 c. Has completed an approved residency of at least 1
2 year; however, after October 1, 1992, the applicant shall have
3 completed an approved residency or fellowship of at least 2
4 years in one specialty area. However, to be acceptable, the
5 fellowship experience and training must be counted toward
6 regular or subspecialty certification by a board recognized
7 and certified by the American Board of Medical Specialties.

8 (g) Has submitted core credentials to the Federation
9 Credentials Verification Services of the Federation of State
10 Medical Boards for verification.

11 ~~(h)(g)~~ Has submitted to the department a set of
12 fingerprints on a form and under procedures specified by the
13 department, along with a payment in an amount equal to the
14 costs incurred by the Department of Health for the criminal
15 background check of the applicant.

16 ~~(i)(h)~~ Has obtained a passing score, as established by
17 rule of the board, on the licensure examination of the United
18 States Medical Licensing Examination (USMLE); or a combination
19 of the United States Medical Licensing Examination (USMLE),
20 the examination of the Federation of State Medical Boards of
21 the United States, Inc. (FLEX), or the examination of the
22 National Board of Medical Examiners up to the year 2000; or
23 for the purpose of examination of any applicant who was
24 licensed on the basis of a state board examination and who is
25 currently licensed in at least one other jurisdiction of the
26 United States or Canada, and who has practiced pursuant to
27 such licensure for a period of at least 10 years, use of the
28 Special Purpose Examination of the Federation of State Medical
29 Boards of the United States (SPEX) upon receipt of a passing
30 score as established by rule of the board. However, for the
31 purpose of examination of any applicant who was licensed on

1 | the basis of a state board examination prior to 1974, who is
2 | currently licensed in at least three other jurisdictions of
3 | the United States or Canada, and who has practiced pursuant to
4 | such licensure for a period of at least 20 years, this
5 | paragraph does not apply.

6 | Section 3. Subsection (1) of section 458.313, Florida
7 | Statutes, is amended to read:

8 | 458.313 Licensure by endorsement; requirements;
9 | fees.--

10 | (1) The department shall issue a license by
11 | endorsement to any applicant who, upon applying to the
12 | department on forms furnished by the department and remitting
13 | a fee set by the board not to exceed \$500, the board
14 | certifies:

15 | (a) Has met the qualifications for licensure in s.
16 | 458.311(1)(b)-(h) ~~s. 458.311(1)(b)-(g)~~ or in s.
17 | 458.311(1)(b)-(e) and (h) ~~(g)~~ and (3);

18 | (b) Prior to January 1, 2000, has obtained a passing
19 | score, as established by rule of the board, on the licensure
20 | examination of the Federation of State Medical Boards of the
21 | United States, Inc. (FLEX), on the United States Medical
22 | Licensing Examination (USMLE), or on the examination of the
23 | National Board of Medical Examiners, or on a combination
24 | thereof, and on or after January 1, 2000, has obtained a
25 | passing score on the United States Medical Licensing
26 | Examination (USMLE); and

27 | (c) Has submitted evidence of the active licensed
28 | practice of medicine in another jurisdiction, for at least 2
29 | of the immediately preceding 4 years, or evidence of
30 | successful completion of either a board-approved postgraduate
31 | training program within 2 years preceding filing of an

1 application or a board-approved clinical competency
2 examination within the year preceding the filing of an
3 application for licensure. For purposes of this paragraph,
4 "active licensed practice of medicine" means that practice of
5 medicine by physicians, including those employed by any
6 governmental entity in community or public health, as defined
7 by this chapter, medical directors under s. 641.495(11) who
8 are practicing medicine, and those on the active teaching
9 faculty of an accredited medical school.

10 Section 4. For the purpose of incorporating the
11 amendment to section 458.311, Florida Statutes, in a reference
12 thereto, and not for the purpose of superseding the provisions
13 of section 456.017(1)(c), Florida Statutes, paragraph (b) of
14 subsection (7) of section 458.347, Florida Statutes, is
15 reenacted to read:

16 458.347 Physician assistants.--

17 (7) PHYSICIAN ASSISTANT LICENSURE.--

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

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

1 examination into the native language of any applicant who
2 requests and agrees to pay all costs of such translation,
3 provided that the translation request is filed with the board
4 office no later than 9 months before the scheduled examination
5 and the applicant remits translation fees as specified by the
6 department no later than 6 months before the scheduled
7 examination, and provided that the applicant demonstrates to
8 the department the ability to communicate orally in basic
9 English. If the applicant is unable to pay translation costs,
10 the applicant may take the next available examination in
11 English if the applicant submits a request in writing by the
12 application deadline and if the applicant is otherwise
13 eligible under this section. To demonstrate the ability to
14 communicate orally in basic English, a passing score or grade
15 is required, as determined by the department or organization
16 that developed it, on the test for spoken English (TSE) by the
17 Educational Testing Service (ETS), the test of English as a
18 foreign language (TOEFL) by ETS, a high school or college
19 level English course, or the English examination for
20 citizenship, Bureau of Citizenship and Immigration Services. A
21 notarized copy of an Educational Commission for Foreign
22 Medical Graduates (ECFMG) certificate may also be used to
23 demonstrate the ability to communicate in basic English; and
24 b.(I) Is an unlicensed physician who graduated from a
25 foreign medical school listed with the World Health
26 Organization who has not previously taken and failed the
27 examination of the National Commission on Certification of
28 Physician Assistants and who has been certified by the Board
29 of Medicine as having met the requirements for licensure as a
30 medical doctor by examination as set forth in s. 458.311(1),
31 (3), (4), and (5), with the exception that the applicant is

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

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

27 2. The department may grant temporary licensure to an
28 applicant who meets the requirements of subparagraph 1.
29 Between meetings of the council, the department may grant
30 temporary licensure to practice based on the completion of all
31 temporary licensure requirements. All such administratively

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

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

3 Section 5. Subsection (1) of section 458.316, Florida
4 Statutes, is amended to read:

5 458.316 Public health certificate.--

6 (1) Any person desiring to obtain a public health
7 certificate shall submit an application fee not to exceed \$300
8 and shall demonstrate to the board that he or she is a
9 graduate of an accredited medical school and holds a master of
10 public health degree or is board eligible or certified in
11 public health or preventive medicine, or is licensed to
12 practice medicine without restriction in another jurisdiction
13 in the United States and holds a master of public health
14 degree or is board eligible or certified in public health or
15 preventive medicine, and shall meet the requirements in s.
16 458.311(1)(a)-(f) and (h) ~~s. 458.311(1)(a)-(g)~~ and (5).

17 Section 6. Section 458.3165, Florida Statutes, is
18 amended to read:

19 458.3165 Public psychiatry certificate.--The board
20 shall issue a public psychiatry certificate to an individual
21 who remits an application fee not to exceed \$300, as set by
22 the board, who is a board-certified psychiatrist, who is
23 licensed to practice medicine without restriction in another
24 state, and who meets the requirements in s. 458.311(1)(a)-(f)
25 and (h) ~~s. 458.311(1)(a)-(g)~~ and (5). A recipient of a public
26 psychiatry certificate may use the certificate to work at any
27 public mental health facility or program funded in part or
28 entirely by state funds.

29 (1) Such certificate shall:
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1 (a) Authorize the holder to practice only in a public
2 mental health facility or program funded in part or entirely
3 by state funds.

4 (b) Be issued and renewable biennially if the
5 secretary of the Department of Health and the chair of the
6 department of psychiatry at one of the public medical schools
7 or the chair of the department of psychiatry at the accredited
8 medical school at the University of Miami recommend in writing
9 that the certificate be issued or renewed.

10 (c) Automatically expire if the holder's relationship
11 with a public mental health facility or program expires.

12 (d) Not be issued to a person who has been adjudged
13 unqualified or guilty of any of the prohibited acts in this
14 chapter.

15 (2) The board may take disciplinary action against a
16 certificateholder for noncompliance with any part of this
17 section or for any reason for which a regular licensee may be
18 subject to discipline.

19 Section 7. Paragraph (a) of subsection (1) of section
20 458.317, Florida Statutes, is amended to read:

21 458.317 Limited licenses.--

22 (1)(a) Any person desiring to obtain a limited license
23 shall:

24 1. Submit to the board, with an application and fee
25 not to exceed \$300, an affidavit stating that he or she has
26 been licensed to practice medicine in any jurisdiction in the
27 United States for at least 10 years and intends to practice
28 only pursuant to the restrictions of a limited license granted
29 pursuant to this section. However, a physician who is not
30 fully retired in all jurisdictions may use a limited license
31 only for noncompensated practice. If the person applying for a

1 | limited license submits a notarized statement from the
2 | employing agency or institution stating that he or she will
3 | not receive compensation for any service involving the
4 | practice of medicine, the application fee and all licensure
5 | fees shall be waived. However, any person who receives a
6 | waiver of fees for a limited license shall pay such fees if
7 | the person receives compensation for the practice of medicine.

8 | 2. Meet the requirements in s. 458.311(1)(b)-(f) and
9 | (h) s. 458.311(1)(b)-(g) and (5). If the applicant graduated

10 | from medical school prior to 1946, the board or its
11 | appropriate committee may accept military medical training or
12 | medical experience as a substitute for the approved 1-year
13 | residency requirement in s. 458.311(1)(f).

14 |
15 | Nothing herein limits in any way any policy by the board,
16 | otherwise authorized by law, to grant licenses to physicians
17 | duly licensed in other states under conditions less
18 | restrictive than the requirements of this section.
19 | Notwithstanding the other provisions of this section, the
20 | board may refuse to authorize a physician otherwise qualified
21 | to practice in the employ of any agency or institution
22 | otherwise qualified if the agency or institution has caused or
23 | permitted violations of the provisions of this chapter which
24 | it knew or should have known were occurring.

25 | Section 8. The sum of \$ _____ is appropriated from
26 | the General Revenue Fund to the Department of Health for
27 | implementing this act during the 2006-2007 fiscal year. This
28 | act shall be implemented contingent on an appropriation in the
29 | General Appropriations Act.

30 | Section 9. This act shall take effect October 1, 2006.
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SENATE SUMMARY

Directs the Division of Health Access and Tobacco of the Department of Health to monitor, evaluate, and report on the supply and distribution of physicians and osteopathic physicians in the state. Requires applicants for licensure as a physician to submit core credentials to the Federation Credentials Verification Services of the Federation of State Medical Boards.