



1 and distribution of physicians and osteopathic physicians in  
2 this state. The division shall develop a strategy to track and  
3 analyze, on an ongoing basis, the distribution of  
4 Florida-licensed physicians by specialty and geographic  
5 location using data that are available from public and private  
6 sources. The division shall submit a report concerning the  
7 supply and distribution of physicians and osteopathic  
8 physicians in this state to the Governor, the President of the  
9 Senate, and the Speaker of the House of Representatives by  
10 January 1, 2008, and annually thereafter.

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

13 458.311 Licensure by examination; requirements;  
14 fees.--

15 (1) Any person desiring to be licensed as a physician,  
16 who does not hold a valid license in any state, shall apply to  
17 the department on forms furnished by the department. The  
18 department shall license each applicant who the board  
19 certifies:

20 (a) Has completed the application form and remitted a  
21 nonrefundable application fee not to exceed \$500.

22 (b) Is at least 21 years of age.

23 (c) Is of good moral character.

24 (d) Has not committed any act or offense in this or  
25 any other jurisdiction which would constitute the basis for  
26 disciplining a physician pursuant to s. 458.331.

27 (e) For any applicant who has graduated from medical  
28 school after October 1, 1992, has completed the equivalent of  
29 2 academic years of preprofessional, postsecondary education,  
30 as determined by rule of the board, which shall include, at a  
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1 minimum, courses in such fields as anatomy, biology, and  
2 chemistry prior to entering medical school.

3 (f) Meets one of the following medical education and  
4 postgraduate training requirements:

5 1.a. Is a graduate of an allopathic medical school or  
6 allopathic college recognized and approved by an accrediting  
7 agency recognized by the United States Office of Education or  
8 is a graduate of an allopathic medical school or allopathic  
9 college within a territorial jurisdiction of the United States  
10 recognized by the accrediting agency of the governmental body  
11 of that jurisdiction;

12 b. If the language of instruction of the medical  
13 school is other than English, has demonstrated competency in  
14 English through presentation of a satisfactory grade on the  
15 Test of Spoken English of the Educational Testing Service or a  
16 similar test approved by rule of the board; and

17 c. Has completed an approved residency of at least 1  
18 year.

19 2.a. Is a graduate of an allopathic foreign medical  
20 school registered with the World Health Organization and  
21 certified pursuant to s. 458.314 as having met the standards  
22 required to accredit medical schools in the United States or  
23 reasonably comparable standards;

24 b. If the language of instruction of the foreign  
25 medical school is other than English, has demonstrated  
26 competency in English through presentation of the Educational  
27 Commission for Foreign Medical Graduates English proficiency  
28 certificate or by a satisfactory grade on the Test of Spoken  
29 English of the Educational Testing Service or a similar test  
30 approved by rule of the board; and

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

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

5           b. Has had his or her medical credentials evaluated by  
6 the Educational Commission for Foreign Medical Graduates,  
7 holds an active, valid certificate issued by that commission,  
8 and has passed the examination utilized by that commission;  
9 and

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

17           ~~(g)~~ Has submitted core credentials to the Federation  
18 Credentials Verification Services of the Federation of State  
19 Medical Boards for verification.

20           ~~(h)(g)~~ Has submitted to the department a set of  
21 fingerprints on a form and under procedures specified by the  
22 department, along with a payment in an amount equal to the  
23 costs incurred by the Department of Health for the criminal  
24 background check of the applicant.

25           ~~(i)(h)~~ Has obtained a passing score, as established by  
26 rule of the board, on the licensure examination of the United  
27 States Medical Licensing Examination (USMLE); or a combination  
28 of the United States Medical Licensing Examination (USMLE),  
29 the examination of the Federation of State Medical Boards of  
30 the United States, Inc. (FLEX), or the examination of the  
31 National Board of Medical Examiners up to the year 2000; or

1 for the purpose of examination of any applicant who was  
2 licensed on the basis of a state board examination and who is  
3 currently licensed in at least one other jurisdiction of the  
4 United States or Canada, and who has practiced pursuant to  
5 such licensure for a period of at least 10 years, use of the  
6 Special Purpose Examination of the Federation of State Medical  
7 Boards of the United States (SPEX) upon receipt of a passing  
8 score as established by rule of the board. However, for the  
9 purpose of examination of any applicant who was licensed on  
10 the basis of a state board examination prior to 1974, who is  
11 currently licensed in at least three other jurisdictions of  
12 the United States or Canada, and who has practiced pursuant to  
13 such licensure for a period of at least 20 years, this  
14 paragraph does not apply.

15 Section 3. Subsection (1) of section 458.313, Florida  
16 Statutes, is amended to read:

17 458.313 Licensure by endorsement; requirements;  
18 fees.--

19 (1) The department shall issue a license by  
20 endorsement to any applicant who, upon applying to the  
21 department on forms furnished by the department and remitting  
22 a fee set by the board not to exceed \$500, the board  
23 certifies:

24 (a) Has met the qualifications for licensure in s.  
25 458.311(1)(b)-(h) ~~s. 458.311(1)(b)-(g)~~ or in s.  
26 458.311(1)(b)-(e) and (h) ~~(g)~~ and (3);

27 (b) Prior to January 1, 2000, has obtained a passing  
28 score, as established by rule of the board, on the licensure  
29 examination of the Federation of State Medical Boards of the  
30 United States, Inc. (FLEX), on the United States Medical  
31 Licensing Examination (USMLE), or on the examination of the

1 National Board of Medical Examiners, or on a combination  
2 thereof, and on or after January 1, 2000, has obtained a  
3 passing score on the United States Medical Licensing  
4 Examination (USMLE); and

5 (c) Has submitted evidence of the active licensed  
6 practice of medicine in another jurisdiction, for at least 2  
7 of the immediately preceding 4 years, or evidence of  
8 successful completion of either a board-approved postgraduate  
9 training program within 2 years preceding filing of an  
10 application or a board-approved clinical competency  
11 examination within the year preceding the filing of an  
12 application for licensure. For purposes of this paragraph,  
13 "active licensed practice of medicine" means that practice of  
14 medicine by physicians, including those employed by any  
15 governmental entity in community or public health, as defined  
16 by this chapter, medical directors under s. 641.495(11) who  
17 are practicing medicine, and those on the active teaching  
18 faculty of an accredited medical school.

19 Section 4. For the purpose of incorporating the  
20 amendment to section 458.311, Florida Statutes, in a reference  
21 thereto, and not for the purpose of superseding the provisions  
22 of section 456.017(1)(c), Florida Statutes, paragraph (b) of  
23 subsection (7) of section 458.347, Florida Statutes, is  
24 reenacted to read:

25 458.347 Physician assistants.--

26 (7) PHYSICIAN ASSISTANT LICENSURE.--

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

30 a. Has completed the application form and remitted a  
31 nonrefundable application fee not to exceed \$500 and an

1 examination fee not to exceed \$300, plus the actual cost to  
2 the department to provide the examination. The examination fee  
3 is refundable if the applicant is found to be ineligible to  
4 take the examination. The department shall not require the  
5 applicant to pass a separate practical component of the  
6 examination. For examinations given after July 1, 1998,  
7 competencies measured through practical examinations shall be  
8 incorporated into the written examination through a  
9 multiple-choice format. The department shall translate the  
10 examination into the native language of any applicant who  
11 requests and agrees to pay all costs of such translation,  
12 provided that the translation request is filed with the board  
13 office no later than 9 months before the scheduled examination  
14 and the applicant remits translation fees as specified by the  
15 department no later than 6 months before the scheduled  
16 examination, and provided that the applicant demonstrates to  
17 the department the ability to communicate orally in basic  
18 English. If the applicant is unable to pay translation costs,  
19 the applicant may take the next available examination in  
20 English if the applicant submits a request in writing by the  
21 application deadline and if the applicant is otherwise  
22 eligible under this section. To demonstrate the ability to  
23 communicate orally in basic English, a passing score or grade  
24 is required, as determined by the department or organization  
25 that developed it, on the test for spoken English (TSE) by the  
26 Educational Testing Service (ETS), the test of English as a  
27 foreign language (TOEFL) by ETS, a high school or college  
28 level English course, or the English examination for  
29 citizenship, Bureau of Citizenship and Immigration Services. A  
30 notarized copy of an Educational Commission for Foreign  
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1 | Medical Graduates (ECFMG) certificate may also be used to  
2 | demonstrate the ability to communicate in basic English; and  
3 |       b.(I) Is an unlicensed physician who graduated from a  
4 | foreign medical school listed with the World Health  
5 | Organization who has not previously taken and failed the  
6 | examination of the National Commission on Certification of  
7 | Physician Assistants and who has been certified by the Board  
8 | of Medicine as having met the requirements for licensure as a  
9 | medical doctor by examination as set forth in s. 458.311(1),  
10 | (3), (4), and (5), with the exception that the applicant is  
11 | not required to have completed an approved residency of at  
12 | least 1 year and the applicant is not required to have passed  
13 | the licensing examination specified under s. 458.311 or hold a  
14 | valid, active certificate issued by the Educational Commission  
15 | for Foreign Medical Graduates; was eligible and made initial  
16 | application for certification as a physician assistant in this  
17 | state between July 1, 1990, and June 30, 1991; and was a  
18 | resident of this state on July 1, 1990, or was licensed or  
19 | certified in any state in the United States as a physician  
20 | assistant on July 1, 1990; or  
21 |       (II) Completed all coursework requirements of the  
22 | Master of Medical Science Physician Assistant Program offered  
23 | through the Florida College of Physician's Assistants prior to  
24 | its closure in August of 1996. Prior to taking the  
25 | examination, such applicant must successfully complete any  
26 | clinical rotations that were not completed under such program  
27 | prior to its termination and any additional clinical rotations  
28 | with an appropriate physician assistant preceptor, not to  
29 | exceed 6 months, that are determined necessary by the council.  
30 | The boards shall determine, based on recommendations from the  
31 | council, the facilities under which such incomplete or



1 additional clinical rotations may be completed and shall also  
2 determine what constitutes successful completion thereof,  
3 provided such requirements are comparable to those established  
4 by accredited physician assistant programs. This  
5 sub-sub-subparagraph is repealed July 1, 2001.

6           2. The department may grant temporary licensure to an  
7 applicant who meets the requirements of subparagraph 1.  
8 Between meetings of the council, the department may grant  
9 temporary licensure to practice based on the completion of all  
10 temporary licensure requirements. All such administratively  
11 issued licenses shall be reviewed and acted on at the next  
12 regular meeting of the council. A temporary license expires 30  
13 days after receipt and notice of scores to the licenseholder  
14 from the first available examination specified in subparagraph  
15 1. following licensure by the department. An applicant who  
16 fails the proficiency examination is no longer temporarily  
17 licensed, but may apply for a one-time extension of temporary  
18 licensure after reapplying for the next available examination.  
19 Extended licensure shall expire upon failure of the  
20 licenseholder to sit for the next available examination or  
21 upon receipt and notice of scores to the licenseholder from  
22 such examination.

23           3. Notwithstanding any other provision of law, the  
24 examination specified pursuant to subparagraph 1. shall be  
25 administered by the department only five times. Applicants  
26 certified by the board for examination shall receive at least  
27 6 months' notice of eligibility prior to the administration of  
28 the initial examination. Subsequent examinations shall be  
29 administered at 1-year intervals following the reporting of  
30 the scores of the first and subsequent examinations. For the  
31 purposes of this paragraph, the department may develop,

1 | contract for the development of, purchase, or approve an  
2 | examination that adequately measures an applicant's ability to  
3 | practice with reasonable skill and safety. The minimum passing  
4 | score on the examination shall be established by the  
5 | department, with the advice of the board. Those applicants  
6 | failing to pass that examination or any subsequent examination  
7 | shall receive notice of the administration of the next  
8 | examination with the notice of scores following such  
9 | examination. Any applicant who passes the examination and  
10 | meets the requirements of this section shall be licensed as a  
11 | physician assistant with all rights defined thereby.

12 |         Section 5. Subsection (1) of section 458.316, Florida  
13 | Statutes, is amended to read:

14 |             458.316 Public health certificate.--

15 |             (1) Any person desiring to obtain a public health  
16 | certificate shall submit an application fee not to exceed \$300  
17 | and shall demonstrate to the board that he or she is a  
18 | graduate of an accredited medical school and holds a master of  
19 | public health degree or is board eligible or certified in  
20 | public health or preventive medicine, or is licensed to  
21 | practice medicine without restriction in another jurisdiction  
22 | in the United States and holds a master of public health  
23 | degree or is board eligible or certified in public health or  
24 | preventive medicine, and shall meet the requirements in s.  
25 | 458.311(1)(a)-(f) and (h) ~~s. 458.311(1)(a)-(g)~~ and (5).

26 |         Section 6. Section 458.3165, Florida Statutes, is  
27 | amended to read:

28 |             458.3165 Public psychiatry certificate.--The board  
29 | shall issue a public psychiatry certificate to an individual  
30 | who remits an application fee not to exceed \$300, as set by  
31 | the board, who is a board-certified psychiatrist, who is

1 licensed to practice medicine without restriction in another  
2 state, and who meets the requirements in s. 458.311(1)(a)-(f)  
3 and (h) ~~s. 458.311(1)(a)-(g)~~ and (5). A recipient of a public  
4 psychiatry certificate may use the certificate to work at any  
5 public mental health facility or program funded in part or  
6 entirely by state funds.

7 (1) Such certificate shall:

8 (a) Authorize the holder to practice only in a public  
9 mental health facility or program funded in part or entirely  
10 by state funds.

11 (b) Be issued and renewable biennially if the  
12 secretary of the Department of Health and the chair of the  
13 department of psychiatry at one of the public medical schools  
14 or the chair of the department of psychiatry at the accredited  
15 medical school at the University of Miami recommend in writing  
16 that the certificate be issued or renewed.

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

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

22 (2) The board may take disciplinary action against a  
23 certificateholder for noncompliance with any part of this  
24 section or for any reason for which a regular licensee may be  
25 subject to discipline.

26 Section 7. Paragraph (a) of subsection (1) of section  
27 458.317, Florida Statutes, is amended to read:

28 458.317 Limited licenses.--

29 (1)(a) Any person desiring to obtain a limited license  
30 shall:

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1           1. Submit to the board, with an application and fee  
2 not to exceed \$300, an affidavit stating that he or she has  
3 been licensed to practice medicine in any jurisdiction in the  
4 United States for at least 10 years and intends to practice  
5 only pursuant to the restrictions of a limited license granted  
6 pursuant to this section. However, a physician who is not  
7 fully retired in all jurisdictions may use a limited license  
8 only for noncompensated practice. If the person applying for a  
9 limited license submits a notarized statement from the  
10 employing agency or institution stating that he or she will  
11 not receive compensation for any service involving the  
12 practice of medicine, the application fee and all licensure  
13 fees shall be waived. However, any person who receives a  
14 waiver of fees for a limited license shall pay such fees if  
15 the person receives compensation for the practice of medicine.

16           2. Meet the requirements in s. 458.311(1)(b)-(f) and  
17 (h) ~~s. 458.311(1)(b)-(g)~~ and (5). If the applicant graduated  
18 from medical school prior to 1946, the board or its  
19 appropriate committee may accept military medical training or  
20 medical experience as a substitute for the approved 1-year  
21 residency requirement in s. 458.311(1)(f).

22  
23 Nothing herein limits in any way any policy by the board,  
24 otherwise authorized by law, to grant licenses to physicians  
25 duly licensed in other states under conditions less  
26 restrictive than the requirements of this section.  
27 Notwithstanding the other provisions of this section, the  
28 board may refuse to authorize a physician otherwise qualified  
29 to practice in the employ of any agency or institution  
30 otherwise qualified if the agency or institution has caused or  
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1 | permitted violations of the provisions of this chapter which  
2 | it knew or should have known were occurring.

3 |       Section 8. The Division of Health Access and Tobacco  
4 | of the Department of Health shall analyze the supply and  
5 | distribution of Florida-licensed dentists in Medicaid Services  
6 | areas one and two of the Agency for Health Care Administration  
7 | using data that are available from public and private sources.  
8 | The division shall determine whether such dentists are retired  
9 | or working full-time. The division shall submit a preliminary  
10 | report to the Governor, the President of the Senate, and the  
11 | Speaker of the House of Representatives by March 1, 2007,  
12 | which identifies the supply and distribution of  
13 | Florida-licensed dentists in Medicaid Services areas one and  
14 | two of the Agency for Health Care Administration, indicates  
15 | whether Florida-licensed dentists in such areas are retired or  
16 | working full-time, and recommends strategies to improve a  
17 | broader distribution of dentists in these areas if a shortage  
18 | or maldistribution is determined to exist. The division shall  
19 | submit a final report to the presiding officer of each house  
20 | of the Legislature and the Governor by March 1, 2008.

21 |       Section 9. The recurring sum of \$ \_\_\_\_\_ is  
22 | appropriated from the General Revenue Fund to the Department  
23 | of Health for implementing this act during the 2006-2007  
24 | fiscal year.

25 |       Section 10. This act shall take effect October 1,  
26 | 2006.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 1410

The Committee Substitute requires the Division of Health Access and Tobacco of the Department of Health to analyze the supply and distribution of Florida-licensed dentists and requires the division to submit a preliminary report to the Governor and the Legislature by March 1, 2007. The report must identify the supply and distribution of Florida-licensed dentists in Medicaid Services areas one and two of the Agency for Health Care Administration, indicate whether Florida licensed dentists in such areas are retired or working full-time, and recommend strategies to improve a broader distribution of dentists in these areas if a shortage or maldistribution is determined to exist. The division must submit a final report by March 1, 2008.