

1 (3)(d), the department may develop procedures for an applicant
2 for licensure as a physician pursuant to this chapter to meet
3 postgraduate training requirements by completion of a 2-year
4 externship at a nonstatutory teaching hospital licensed in
5 this state. The training provided in the externship shall be
6 substantially similar, as defined by board rule, to the
7 training provided in an approved residency as provided in
8 sub-subparagraph (1)(f)1.c., sub-subparagraph (1)(f)2.c., or
9 sub-subparagraph (1)(f)3.c. In order for the externship to
10 meet the requirements of this subsection, it must be approved
11 by the board before the applicant enters into the externship.
12 The applicant may not be licensed pursuant to this subsection
13 unless the board finds that the applicant has successfully
14 completed the externship. The board may adopt rules to
15 administer this subsection, including rules setting fees,
16 which may not exceed the actual costs of administering this
17 subsection.

18 ~~(6)(5)~~ The board may not certify to the department for
19 licensure any applicant who is under investigation in another
20 jurisdiction for an offense which would constitute a violation
21 of this chapter until such investigation is completed. Upon
22 completion of the investigation, the provisions of s. 458.331
23 shall apply. Furthermore, the department may not issue an
24 unrestricted license to any individual who has committed any
25 act or offense in any jurisdiction which would constitute the
26 basis for disciplining a physician pursuant to s. 458.331.
27 When the board finds that an individual has committed an act
28 or offense in any jurisdiction which would constitute the
29 basis for disciplining a physician pursuant to s. 458.331,
30 then the board may enter an order imposing one or more of the
31 terms set forth in subsection~~(9)(8)~~.

1 ~~(8)(7)~~ Upon certification by the board, the department
2 shall impose conditions, limitations, or restrictions on a
3 license if the applicant is on probation in another
4 jurisdiction for an act which would constitute a violation of
5 this chapter or if the externship requirement provided in
6 subsection (2) was complied with at a nonstatutory teaching
7 hospital.

8 Section 2. Subsection (1) of section 458.313, Florida
9 Statutes, is amended to read:

10 458.313 Licensure by endorsement; requirements;
11 fees.--

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

17 (a) Has met the qualifications for licensure in s.
18 458.311(1)(b)-(g) or in s. 458.311(1)(b)-(e) and (g) and~~(4)~~
19 ~~(3)~~;

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

29 (c) Has submitted evidence of the active licensed
30 practice of medicine in another jurisdiction, for at least 2
31 of the immediately preceding 4 years, or evidence of

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

12 Section 3. 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)-(g) and (6)~~(5)~~.

26 Section 4. 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)-(g)
3 and ~~(6)~~~~(5)~~. A recipient of a public psychiatry certificate
4 may use the certificate to work at any public mental health
5 facility or program funded in part or entirely by state funds.

6 (1) Such certificate shall:

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

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

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

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

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

25 Section 5. Paragraph (a) of subsection (1) of section
26 458.317, Florida Statutes, is amended to read:

27 458.317 Limited licenses.--

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

30 1. Submit to the board, with an application and fee
31 not to exceed \$300, an affidavit stating that he or she has

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

14 | 2. Meet the requirements in s. 458.311(1)(b)-(g) and
15 | (6)~~(5)~~. If the applicant graduated from medical school prior
16 | to 1946, the board or its appropriate committee may accept
17 | military medical training or medical experience as a
18 | substitute for the approved 1-year residency requirement in s.
19 | 458.311(1)(f).

20 | Section 6. Paragraph (b) of subsection (7) of section
21 | 458.347, Florida Statutes, is amended to read:

22 | 458.347 Physician assistants.--

23 | (7) PHYSICIAN ASSISTANT LICENSURE.--

24 | (b)1. Notwithstanding subparagraph (a)2. and
25 | sub-subparagraph (a)3.a., the department shall examine each
26 | applicant who the Board of Medicine certifies:

27 | a. Has completed the application form and remitted a
28 | nonrefundable application fee not to exceed \$500 and an
29 | examination fee not to exceed \$300, plus the actual cost to
30 | the department to provide the examination. The examination fee
31 | is refundable if the applicant is found to be ineligible to

1 take the examination. The department shall not require the
2 applicant to pass a separate practical component of the
3 examination. For examinations given after July 1, 1998,
4 competencies measured through practical examinations shall be
5 incorporated into the written examination through a
6 multiple-choice format. The department shall translate the
7 examination into the native language of any applicant who
8 requests and agrees to pay all costs of such translation,
9 provided that the translation request is filed with the board
10 office no later than 9 months before the scheduled examination
11 and the applicant remits translation fees as specified by the
12 department no later than 6 months before the scheduled
13 examination, and provided that the applicant demonstrates to
14 the department the ability to communicate orally in basic
15 English. If the applicant is unable to pay translation costs,
16 the applicant may take the next available examination in
17 English if the applicant submits a request in writing by the
18 application deadline and if the applicant is otherwise
19 eligible under this section. To demonstrate the ability to
20 communicate orally in basic English, a passing score or grade
21 is required, as determined by the department or organization
22 that developed it, on the test for spoken English (TSE) by the
23 Educational Testing Service (ETS), the test of English as a
24 foreign language (TOEFL) by ETS, a high school or college
25 level English course, or the English examination for
26 citizenship, Bureau of Citizenship and Immigration Services. A
27 notarized copy of an Educational Commission for Foreign
28 Medical Graduates (ECFMG) certificate may also be used to
29 demonstrate the ability to communicate in basic English; and
30 b.(I) Is an unlicensed physician who graduated from a
31 foreign medical school listed with the World Health

1 Organization who has not previously taken and failed the
2 examination of the National Commission on Certification of
3 Physician Assistants and who has been certified by the Board
4 of Medicine as having met the requirements for licensure as a
5 medical doctor by examination as set forth in s. 458.311(1),
6 (4)(3), (5)(4), and (6)(5), with the exception that the
7 applicant is not required to have completed an approved
8 residency of at least 1 year and the applicant is not required
9 to have passed the licensing examination specified under s.
10 458.311 or hold a valid, active certificate issued by the
11 Educational Commission for Foreign Medical Graduates; was
12 eligible and made initial application for certification as a
13 physician assistant in this state between July 1, 1990, and
14 June 30, 1991; and was a resident of this state on July 1,
15 1990, or was licensed or certified in any state in the United
16 States as a physician assistant on July 1, 1990; or
17 (II) Completed all coursework requirements of the
18 Master of Medical Science Physician Assistant Program offered
19 through the Florida College of Physician's Assistants prior to
20 its closure in August of 1996. Prior to taking the
21 examination, such applicant must successfully complete any
22 clinical rotations that were not completed under such program
23 prior to its termination and any additional clinical rotations
24 with an appropriate physician assistant preceptor, not to
25 exceed 6 months, that are determined necessary by the council.
26 The boards shall determine, based on recommendations from the
27 council, the facilities under which such incomplete or
28 additional clinical rotations may be completed and shall also
29 determine what constitutes successful completion thereof,
30 provided such requirements are comparable to those established
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1 | by accredited physician assistant programs. This
2 | sub-sub-subparagraph is repealed July 1, 2001.

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

20 | 3. Notwithstanding any other provision of law, the
21 | examination specified pursuant to subparagraph 1. shall be
22 | administered by the department only five times. Applicants
23 | certified by the board for examination shall receive at least
24 | 6 months' notice of eligibility prior to the administration of
25 | the initial examination. Subsequent examinations shall be
26 | administered at 1-year intervals following the reporting of
27 | the scores of the first and subsequent examinations. For the
28 | purposes of this paragraph, the department may develop,
29 | contract for the development of, purchase, or approve an
30 | examination that adequately measures an applicant's ability to
31 | practice with reasonable skill and safety. The minimum passing

1 score on the examination shall be established by the
2 department, with the advice of the board. Those applicants
3 failing to pass that examination or any subsequent examination
4 shall receive notice of the administration of the next
5 examination with the notice of scores following such
6 examination. Any applicant who passes the examination and
7 meets the requirements of this section shall be licensed as a
8 physician assistant with all rights defined thereby.

9 Section 7. This act shall take effect upon becoming a
10 law.

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13 SENATE SUMMARY

14 Authorizes the Department of Health to allow an applicant
15 for licensure as a physician to meet postgraduate
16 training requirements by completing a 2-year externship
17 at a nonstatutory teaching hospital.
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