

HB 699

2006
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CHAMBER ACTION

1 The Health Care Regulation Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to health care; amending ss. 458.331 and
7 459.015, F.S.; authorizing the Board of Medicine and the
8 Board of Osteopathic Medicine to establish by rule certain
9 standards of practice and standards of care for physicians
10 and osteopathic physicians who supervise licensed health
11 care practitioners who are not under direct, onsite
12 supervision by the supervising physician; providing
13 exemptions; providing for such rules to apply equally to
14 physician assistants and advanced registered nurse
15 practitioners; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Paragraph (dd) of subsection (1) of section
20 458.331, Florida Statutes, is amended to read:

21 458.331 Grounds for disciplinary action; action by the
22 board and department.--

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23 (1) The following acts constitute grounds for denial of a
24 license or disciplinary action, as specified in s. 456.072(2):

25 (dd) 1. Failing to supervise adequately the activities of
26 those physician assistants, paramedics, emergency medical
27 technicians, advanced registered nurse practitioners, or
28 anesthesiologist assistants acting under the supervision of the
29 physician.

30 2. Notwithstanding any other provision of this chapter,
31 the board may establish by rule standards of practice and
32 standards of care for physicians who supervise licensed health
33 care practitioners in a facility that is not licensed under
34 chapter 395, and who are not under direct, onsite supervision of
35 a supervising physician, which may include:

36 a. The percentage of time a supervising physician spends
37 directly supervising the licensed health care practitioners.

38 b. Standards for adequate supervision, including the
39 standards for review of medical records and the allowable
40 distance of the licensed health care practitioners from the
41 supervising physician.

42 c. The number of each type of licensed health care
43 practitioner that a supervising physician may supervise.

44 3. The standards established in the rules under
45 subparagraph 2. may vary depending on the specialty of the
46 physician, the type of licensed health care practitioner under
47 supervision, and the practice setting.

48 4. The requirements of subparagraph 2. shall not apply to
49 health care practitioners providing services in conjunction with
50 a college of medicine; to health care practitioners providing

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51 services in a nursing home licensed under part II of chapter
52 400, an assisted living facility licensed under part III of
53 chapter 400, a continuing care facility licensed under chapter
54 651, or a retirement community consisting of independent living
55 units and either a licensed nursing home or assisted living
56 facility; or to health care practitioners providing services to
57 a rural health network as defined in s. 381.0406 or to persons
58 enrolled in a program designed to maintain elders and persons
59 with disabilities in a home and community-based setting.

60 5. Any rule adopted pursuant to the authority granted
61 under subparagraph 2. shall apply equally to physician
62 assistants and advanced registered nurse practitioners.

63 Section 2. Paragraph (hh) of subsection (1) of section
64 459.015, Florida Statutes, is amended to read:

65 459.015 Grounds for disciplinary action; action by the
66 board and department.--

67 (1) The following acts constitute grounds for denial of a
68 license or disciplinary action, as specified in s. 456.072(2):

69 (hh)1. Failing to supervise adequately the activities of
70 those physician assistants, paramedics, emergency medical
71 technicians, advanced registered nurse practitioners,
72 anesthesiologist assistants, or other persons acting under the
73 supervision of the osteopathic physician.

74 2. Notwithstanding any other provision of this chapter,
75 the board may establish by rule standards of practice and
76 standards of care for osteopathic physicians who supervise
77 licensed health care practitioners in a facility that is not
78 licensed under chapter 395, and who are not under direct, onsite

79 | supervision of a supervising osteopathic physician, which may
80 | include:

81 | a. The percentage of time a supervising osteopathic
82 | physician spends directly supervising the licensed health care
83 | practitioners.

84 | b. Standards for adequate supervision, including the
85 | standards for review of medical records and the allowable
86 | distance of the licensed health care practitioners from the
87 | supervising osteopathic physician.

88 | c. The number of each type of licensed health care
89 | practitioner that a supervising osteopathic physician may
90 | supervise.

91 | 3. The standards established in the rules under
92 | subparagraph 2. may vary depending on the specialty of the
93 | osteopathic physician, the type of licensed health care
94 | practitioner under supervision, and the practice setting.

95 | 4. The requirements of subparagraph 2. shall not apply to
96 | health care practitioners providing services in conjunction with
97 | a college of medicine; to health care practitioners providing
98 | services in a nursing home licensed under part II of chapter
99 | 400, an assisted living facility licensed under part III of
100 | chapter 400, a continuing care facility licensed under chapter
101 | 651, or a retirement community consisting of independent living
102 | units and either a licensed nursing home or assisted living
103 | facility; or to health care practitioners providing services to
104 | a rural health network as defined in s. 381.0406 or to persons
105 | enrolled in a program designed to maintain elders and persons
106 | with disabilities in a home and community-based setting.

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107 | 5. Any rule adopted pursuant to the authority granted
108 | under subparagraph 2. shall apply equally to physician
109 | assistants and advanced registered nurse practitioners.

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