

1 have lived in the state for at least 5 years immediately
2 preceding their appointments, have never been licensed as a
3 health care practitioner under chapter 456 or the applicable
4 practice act, and do not have a substantial personal,
5 business, professional, or pecuniary connection with a
6 licensed health care practitioner or with a medical education
7 facility or health care facility, except as patients or
8 potential patients are not, and never have been, licensed
9 health care practitioners. The final member ~~One member~~ must be
10 the chief operations officer of a hospital ~~a health care risk~~
11 ~~manager~~ licensed under chapter 395 who has lived in the state
12 and held this position for at least 5 years immediately
13 preceding his or her appointment ~~s. 395.10974~~. At least one
14 member of the board must be 60 years of age or older.

15 (3) Terms for current members of the board shall
16 expire on October 31, 2007. Initial appointments to the board
17 pursuant to this section shall take effect November 1, 2007.
18 Five of the initial physician appointments shall be for a term
19 of 2 years; five of the initial physician appointments shall
20 be for a term of 3 years; and the remaining initial
21 appointments shall be for a term of 4 years. As the terms of
22 the members expire subsequent to November 1, 2007, the
23 Governor shall appoint successors for terms of 4 years, and
24 such members shall serve until their successors are appointed.

25 Section 2. Subsection (4) of section 456.041, Florida
26 Statutes, is amended to read:

27 456.041 Practitioner profile; creation.--

28 (4) The Department of Health shall include, with
29 respect to a practitioner licensed under chapter 458 or
30 chapter 459, a statement of how the practitioner has elected
31 to comply with the financial responsibility requirements of s.

1 458.320 or s. 459.0085. The department shall include, with
2 respect to practitioners subject to s. 456.048, a statement of
3 how the practitioner has elected to comply with the financial
4 responsibility requirements of that section. ~~The department~~
5 ~~shall include, with respect to practitioners licensed under~~
6 ~~chapter 461, information relating to liability actions which~~
7 ~~has been reported under s. 456.049 or s. 627.912 within the~~
8 ~~previous 10 years for any paid claim that exceeds \$5,000.~~ The
9 department shall include, with respect to practitioners
10 licensed under chapter 458, ~~or~~ chapter 459, or chapter 461,
11 information relating to liability actions that ~~which~~ has been
12 reported under ss. 456.049 and 627.912 ~~within the previous 10~~
13 ~~years~~ for any paid claim that exceeds 50,000~~\$100,000~~. Any
14 ~~Such claims information shall be reported in the context of~~
15 ~~comparing an individual practitioner's claims to the~~
16 ~~experience of other practitioners within the same specialty,~~
17 ~~or profession if the practitioner is not a specialist. The~~
18 ~~department must provide a hyperlink in such practitioner's~~
19 ~~profile to all such comparison reports.~~ If information
20 relating to a liability action ~~is~~ included in a practitioner's
21 practitioner profile, ~~the profile~~ must ~~also~~ include the
22 following statement: "Settlement of a claim may occur for a
23 variety of reasons that do not necessarily reflect negatively
24 on the professional competence or conduct of the practitioner.
25 A payment in settlement of a medical malpractice action or
26 claim should not be construed as creating a presumption that
27 medical malpractice has occurred."

28 Section 3. This act shall take effect July 1, 2007.
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SENATE SUMMARY

Revises the membership requirements on the Board of
Medicine within the Department of Health. Revises the
terms of service on the board. Revises provisions that
require the department to report information regarding
certain liability actions against a health care
practitioner.