

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1281 Medical Faculty Certificate
SPONSOR(S): Gonzalez and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 2366

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Health Quality</u>	<u>9 Y, 0 N</u>	<u>Owen</u>	<u>Lowell</u>
2) <u>Healthcare Council</u>	<u></u>	<u>Owen</u>	<u>Gormley</u>
3) <u></u>	<u></u>	<u></u>	<u></u>
4) <u></u>	<u></u>	<u></u>	<u></u>
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SUMMARY ANALYSIS

House Bill 1281 adds Florida International University and the University of Central Florida to the current list of five Florida medical teaching institutions where a physician who is not currently licensed in Florida may be authorized to practice medicine in conjunction with a full time faculty appointment.

There appears to be an insignificant fiscal impact to the state (See fiscal analysis).

The bill is effective July 1, 2008.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Present Situation

A medical faculty certificate is issued by the Department of Health (department) to allow a physician to practice medicine in conjunction with his or her teaching duties at a Florida medical school or approved teaching facility that is registered with the Board of Medicine (board).

Section 458.3145(1), F.S., authorizes a medical faculty certificate to be issued to an individual who:

- Is a graduate of an accredited medical school or its equivalent, or is a graduate of a foreign medical school listed with the World Health Organization;
- Holds a valid, current license to practice medicine in another jurisdiction;
- Has completed the application form and remitted a nonrefundable application fee not to exceed \$500;
- Has completed an approved residency or fellowship of at least one year or its equivalent;
- Is at least 21 years of age;
- Is of good moral character;
- Has not committed any act in Florida or any other jurisdiction which would constitute the basis for disciplining a physician under s. 458.331, F.S.;
- For any applicant who graduated from medical school after October 1, 1992, has completed, before entering medical school, the equivalent of two academic years of preprofessional, postsecondary education, which must include, at a minimum, courses in fields such as anatomy, biology, and chemistry; and
- Has been offered and has accepted a full-time faculty appointment to teach in a program of medicine at
 - The University of Florida,
 - The University of Miami,
 - The University of South Florida,
 - The Florida State University, or
 - The Mayo Medical School at the Mayo Clinic in Jacksonville, Florida.

The medical faculty certificate automatically expires when the holder's relationship with the medical school is terminated or after a period of 24 months, whichever occurs sooner, and is renewable every two years by a holder who applies to the board and provides certification by the dean of the medical school that the holder is a distinguished medical scholar and an outstanding practicing physician.¹

The holder of a medical faculty certificate has all rights and responsibilities prescribed by law for a licensed physician.²

The following limitations apply to the number of medical faculty certificates allowed to be issued to each institution or facility:³

- Maximum of 15 medical faculty certificate holders:

¹ Section 458.3145(2), F.S.

² Section 458.3145(3), F.S.

³ Section 458.3145(4), F.S.

- The University of Florida
- The University of Miami
- The University of South Florida
- The Florida State University
- H. Lee Moffitt Cancer Center and Research Institute at the University of South Florida
- Maximum of 5 medical faculty certificate holders:
 - The Mayo Medical School at the Mayo Clinic in Jacksonville, Florida

An annual review of each certificate recipient is made by the dean of the accredited medical school and reported to the board.

Both the Florida International University (FIU) and University of Central Florida (UCF) Colleges of Medicine were created by the Legislature in 2006. Both institutions will begin offering courses in the fall of 2009. FIU plans to enroll an inaugural class of 40 students with the goal of enrolling 480 students at full capacity.⁴ Hospitals affiliated with the FIU College of Medicine include: Jackson Memorial Hospital, Mt. Sinai Medical Center, Miami Children's Hospital, and Mercy Hospital.⁵ UCF plans to enroll an inaugural class of 40 students and eventually produce about 120 medical graduates each year.⁶ Florida Hospital and Orlando Regional Hospital are affiliated with the UCF College of Medicine.⁷

Effect of Proposed Changes

The bill adds FIU and UCF to the current list of five Florida medical teaching institutions where a physician who is not currently licensed in Florida may be authorized to practice medicine in conjunction with a full time faculty appointment.

C. SECTION DIRECTORY:

Section 1: Amends s. 458.3145, F.S., adding schools to the list of programs at which medical faculty certificateholders may practice.

Section 2: Provides an effective date of July 1, 2008.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See fiscal comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

⁴ Florida International University, College of Medicine, "About the College," <http://medicine.fiu.edu/about.html> (last visited March 14, 2008).

⁵ *Id.*

⁶ The University of Central Florida, College of Medicine, "About the College," <http://www.med.ucf.edu/about/> (last visited March 14, 2008).

⁷ *Id.*

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill does not add a limitation on the number of medical faculty certificates that may be issued for FIU or UCF, unlike the other medical schools in the state. For this reason, it is difficult to determine the fiscal impact to the department. The department will incur costs associated with processing and monitoring applications, nevertheless, it is likely to be insignificant.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require counties or municipalities to spend funds or take action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenues.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The department appears to have adequate rulemaking authority to implement the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill does not limit FIU and the UCF medical schools to a specific number of medical faculty certificateholders, as is done for the other institutions and facilities currently in statute.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On March 18, 2008, the Health Quality Committee adopted one amendment to the bill. The amendment added FIU and UCF to the list of institutions that are subject to a maximum number of medical faculty certificate holders.

The bill was reported favorably with one amendment.