



649826

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/20/2010	.	
	.	
	.	
	.	

The Policy and Steering Committee on Ways and Means (Peaden) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1721 - 1745
and insert:

(f) A sole proprietorship, group practice, partnership, ~~or~~ corporation, or other legal entity that provides health care services by practitioners licensed under chapter 458, chapter 459, chapter 461, chapter 466 or chapter 460, subject to the limitations of s. 460.4167, which ~~physicians covered by s. 627.419, that~~ is directly supervised by one or more of such physicians, and ~~that~~ is wholly owned by one or more of those physicians or physician assistants, or by a physician or



649826

13 physician assistant and the spouse, parent, child, or sibling of
14 that physician or physician assistant. A certificate of
15 exemption is valid only for the entity, persons, and location
16 for which it was originally issued.

17 1. However, an individual who is not a medical professional
18 or family member listed in this paragraph may own up to 30
19 percent of a health care clinic entity that is exempt under this
20 paragraph if the individual obtains prior approval from the
21 agency for ownership of a percentage of a health care clinic.
22 Such an individual is considered an "applicant" under s.
23 400.991(5), and must meet all the requirements of that section
24 and s. 408.809 and level 2 background screening before being
25 approved by the agency for ownership of a minority interest in a
26 health care clinic.

27 2. If an individual who is not a medical professional or
28 family member listed in this paragraph assumes ownership of an
29 investment interest in a health care clinic without the prior
30 approval of the agency, the health care clinic shall lose its
31 exemption from licensure under this paragraph.

32 3. Under no circumstances may ownership of a health care
33 clinic by an individual other than the physician or physicians
34 or the physician and the spouse, parent, child, or sibling of
35 that physician to whom the exemption was granted exceed 30
36 percent.

37 (g) A sole proprietorship, group practice, partnership, or
38 corporation that provides health care services by licensed
39 health care practitioners under chapter 457, ~~chapter 458,~~
40 ~~chapter 459, chapter 460, chapter 461,~~ chapter 462, chapter 463,
41 chapter 466, chapter 467, chapter 480, chapter 484, chapter 486,



649826

42 chapter 490, chapter 491, or part I, part III, part X, part
43 XIII, or part XIV of chapter 468, or s. 464.012, which are
44 wholly owned by one or more licensed health care practitioners,
45 or the licensed health care practitioners set forth in this
46 paragraph and the spouse, parent, child, or sibling of a
47 licensed health care practitioner, so long as one of the owners
48 who is a licensed health care practitioner is directly
49 supervising health care services ~~the business activities~~ and is
50 legally responsible for the entity's compliance with all federal
51 and state laws. However, a health care practitioner, who is a
52 supervising owner may not supervise services beyond the scope of
53 the practitioner's license, except that, for the purposes of
54 this part, a clinic owned by a licensee in s. 456.053(3)(b) that
55 provides only services authorized pursuant to s. 456.053(3)(b)
56 may be supervised by a licensee specified in s. 456.053(3)(b). A
57 certificate of exemption is valid only for the entity, persons,
58 and location for which it was originally issued.

59
60 ===== T I T L E A M E N D M E N T =====

61 And the title is amended as follows:

62
63 Delete lines 143 - 144
64 and insert:

65
66 providing that part X of ch. 400, F.S., the Health
67 Care Clinic Act, does not apply to an individual,
68 corporation, or other legal entity that provides
69 health care services that are directly supervised by
70 one or more physicians or physician assistants or to



649826

71 an individual who is not a medical professional or
72 family member of a medical professional and owns up to
73 a specified percent of a health care clinic if the
74 individual or family member obtains the prior approval
75 of the Agency for Health Care Administration to own
76 the clinic, or to an entity owned by