

By the Committees on Military Affairs, Space, and Domestic Security; and Health Regulation; and Senators Altman and Evers

583-02939-11

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1 A bill to be entitled

2 An act relating to temporary certificates and licenses
3 for certain health care practitioners; amending s.
4 456.024, F.S.; providing for issuance of a temporary
5 license to specified health care practitioners who are
6 spouses of active duty members of the Armed Forces
7 under certain circumstances; providing for criminal
8 history checks; providing fees; providing for
9 expiration of a temporary license; requiring a person
10 who is issued a temporary license to be subject to
11 certain general licensing requirements; providing that
12 certain persons are ineligible for such license;
13 providing for revocation of such license; requiring
14 certain temporary licensees to practice under the
15 indirect supervision of other licensees; amending ss.
16 458.315 and 459.0076, F.S.; naming the temporary
17 certificates issued to physicians who practice in
18 areas of critical need after Rear Admiral LeRoy
19 Collins, Jr.; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Subsection (3) is added to section 456.024,
24 Florida Statutes, to read:

25 456.024 Members of Armed Forces in good standing with
26 administrative boards or the department; spouses.—

27 (3) (a) The board, or the department if there is no board,
28 may issue a temporary professional license to the spouse of an
29 active duty member of the Armed Forces of the United States who

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30 submits to the department:

31 1. A completed application upon a form prepared and
32 furnished by the department in accordance with the board's
33 rules;

34 2. The required application fee;

35 3. Proof that the applicant is married to a member of the
36 Armed Forces of the United States who is on active duty;

37 4. Proof that the applicant holds a valid license for the
38 profession issued by another state, the District of Columbia, or
39 a possession or territory of the United States, and is not the
40 subject of any disciplinary proceeding in any jurisdiction in
41 which the applicant holds a license to practice a profession
42 regulated by this chapter;

43 5. Proof that the applicant's spouse is assigned to a duty
44 station in this state pursuant to the member's official active
45 duty military orders; and

46 6. Proof that the applicant would otherwise be entitled to
47 full licensure under the appropriate practice act, and is
48 eligible to take the respective licensure examination as
49 required in Florida.

50 (b) The applicant must also submit to the Department of Law
51 Enforcement a complete set of fingerprints. The Department of
52 Law Enforcement shall conduct a statewide criminal history check
53 and forward the fingerprints to the Federal Bureau of
54 Investigation for a national criminal history check.

55 (c) Each board, or the department if there is no board,
56 shall review the results of the state and federal criminal
57 history checks according to the level 2 screening standards in
58 s. 435.04 when granting an exemption and when granting or

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59 denying the temporary license.

60 (d) The applicant shall pay the cost of fingerprint
61 processing. If the fingerprints are submitted through an
62 authorized agency or vendor, the agency or vendor shall collect
63 the required processing fees and remit the fees to the
64 Department of Law Enforcement.

65 (e) The department shall set an application fee, which may
66 not exceed the cost of issuing the license.

67 (f) A temporary license expires 12 months after the date of
68 issuance and is not renewable.

69 (g) An applicant for a temporary license under this
70 subsection is subject to the requirements under s. 456.013(3) (a)
71 and (c).

72 (h) An applicant shall be deemed ineligible for a temporary
73 license pursuant to this section if the applicant:

74 1. Has been convicted of or pled nolo contendere to,
75 regardless of adjudication, any felony or misdemeanor related to
76 the practice of a health care profession;

77 2. Has had a health care provider license revoked or
78 suspended from another of the United States, the District of
79 Colombia, or a United States Territory;

80 3. Has been reported to the National Practitioner Data
81 Bank, unless the applicant has successfully appealed to have his
82 or her name removed from the data bank; or

83 4. Has previously failed the Florida examination required
84 to receive a license to practice the profession for which the
85 applicant is seeking a license.

86 (i) The board, or department if there is no board, may
87 revoke a temporary license upon finding that the individual

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88 violated the profession's governing practice act.

89 (j) An applicant who is issued a temporary professional
90 license to practice as a dentist pursuant to this section must
91 practice under the indirect supervision, as defined in s.
92 466.003, of a dentist licensed pursuant to chapter 466.

93 Section 2. Present subsections (1) through (4) of section
94 458.315, Florida Statutes, are renumbered as subsections (2)
95 through (5), respectively, and a new subsection (1) is added to
96 that section, to read:

97 458.315 Temporary certificate for practice in areas of
98 critical need.—

99 (1) A certificate issued pursuant to this section may be
100 cited as the "Rear Admiral LeRoy Collins, Jr., Temporary
101 Certificate for Practice in Areas of Critical Need."

102 Section 3. Present subsections (1) through (4) of section
103 459.0076, Florida Statutes, are renumbered as subsections (2)
104 through (5), respectively, and a new subsection (1) is added to
105 that section, to read:

106 459.0076 Temporary certificate for practice in areas of
107 critical need.—

108 (1) A certificate issued pursuant to this section may be
109 cited as the "Rear Admiral LeRoy Collins, Jr., Temporary
110 Certificate for Practice in Areas of Critical Need."

111 Section 4. This act shall take effect July 1, 2011.