

HB 4103

2011

1 A bill to be entitled
 2 An act relating to medical practice; amending s. 458.348,
 3 F.S.; deleting certain requirements for a physician's
 4 supervision of certain advanced registered nurse
 5 practitioners and physician assistants at medical offices
 6 other than the physician's primary practice location;
 7 deleting requirements for a physician's disclosure of
 8 certain information to, and for the initial examination
 9 of, a patient upon referral by another practitioner;
 10 deleting a provision specifying that certain provisions
 11 are self-executing and do not require or authorize
 12 rulemaking; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsections (4) through (6) of section 458.348,
 17 Florida Statutes, are amended to read:

18 458.348 Formal supervisory relationships, standing orders,
 19 and established protocols; notice; standards.—

20 (4) ~~SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—~~
 21 ~~A physician who supervises an advanced registered nurse~~
 22 ~~practitioner or physician assistant at a medical office other~~
 23 ~~than the physician's primary practice location, where the~~
 24 ~~advanced registered nurse practitioner or physician assistant is~~
 25 ~~not under the onsite supervision of a supervising physician,~~
 26 ~~must comply with the standards set forth in this subsection. For~~
 27 ~~the purpose of this subsection, a physician's "primary practice~~
 28 ~~location" means the address reflected on the physician's profile~~

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29 ~~published pursuant to s. 456.041.~~

30 ~~(a) A physician who is engaged in providing primary health~~
31 ~~care services may not supervise more than four offices in~~
32 ~~addition to the physician's primary practice location. For the~~
33 ~~purpose of this subsection, "primary health care" means health~~
34 ~~care services that are commonly provided to patients without~~
35 ~~referral from another practitioner, including obstetrical and~~
36 ~~gynecological services, and excludes practices providing~~
37 ~~primarily dermatologic and skin care services, which include~~
38 ~~aesthetic skin care services.~~

39 ~~(b) A physician who is engaged in providing specialty~~
40 ~~health care services may not supervise more than two offices in~~
41 ~~addition to the physician's primary practice location. For the~~
42 ~~purpose of this subsection, "specialty health care" means health~~
43 ~~care services that are commonly provided to patients with a~~
44 ~~referral from another practitioner and excludes practices~~
45 ~~providing primarily dermatologic and skin care services, which~~
46 ~~include aesthetic skin care services.~~

47 ~~(c) A physician who supervises an advanced registered~~
48 ~~nurse practitioner or physician assistant at a medical office~~
49 ~~other than the physician's primary practice location, where the~~
50 ~~advanced registered nurse practitioner or physician assistant is~~
51 ~~not under the onsite supervision of a supervising physician and~~
52 ~~the services offered at the office are primarily dermatologic or~~
53 ~~skin care services, which include aesthetic skin care services~~
54 ~~other than plastic surgery, must comply with the standards~~
55 ~~listed in subparagraphs 1.-4. Notwithstanding s.~~
56 ~~458.347(4)(e)7., a physician supervising a physician assistant~~

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57 ~~pursuant to this paragraph~~ may not be required to review and
58 cosign charts or medical records prepared by such physician
59 assistant.

60 1. ~~The physician shall submit to the board the addresses~~
61 ~~of all offices where he or she is supervising an advanced~~
62 ~~registered nurse practitioner or a physician's assistant which~~
63 ~~are not the physician's primary practice location.~~

64 2. ~~The physician must be board certified or board eligible~~
65 ~~in dermatology or plastic surgery as recognized by the board~~
66 ~~pursuant to s. 458.3312.~~

67 3. ~~All such offices that are not the physician's primary~~
68 ~~place of practice must be within 25 miles of the physician's~~
69 ~~primary place of practice or in a county that is contiguous to~~
70 ~~the county of the physician's primary place of practice.~~
71 ~~However, the distance between any of the offices may not exceed~~
72 ~~75 miles.~~

73 4. ~~The physician may supervise only one office other than~~
74 ~~the physician's primary place of practice except that until July~~
75 ~~1, 2011, the physician may supervise up to two medical offices~~
76 ~~other than the physician's primary place of practice if the~~
77 ~~addresses of the offices are submitted to the board before July~~
78 ~~1, 2006. Effective July 1, 2011, the physician may supervise~~
79 ~~only one office other than the physician's primary place of~~
80 ~~practice, regardless of when the addresses of the offices were~~
81 ~~submitted to the board.~~

82 (d) ~~A physician who supervises an office in addition to~~
83 ~~the physician's primary practice location must conspicuously~~
84 ~~post in each of the physician's offices a current schedule of~~

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85 ~~the regular hours when the physician is present in that office~~
86 ~~and the hours when the office is open while the physician is not~~
87 ~~present.~~

88 ~~(c) This subsection does not apply to health care services~~
89 ~~provided in facilities licensed under chapter 395 or in~~
90 ~~conjunction with a college of medicine, a college of nursing, an~~
91 ~~accredited graduate medical program, or a nursing education~~
92 ~~program; not-for-profit, family-planning clinics that are not~~
93 ~~licensed pursuant to chapter 390; rural and federally qualified~~
94 ~~health centers; health care services provided in a nursing home~~
95 ~~licensed under part II of chapter 400, an assisted living~~
96 ~~facility licensed under part I of chapter 429, a continuing care~~
97 ~~facility licensed under chapter 651, or a retirement community~~
98 ~~consisting of independent living units and a licensed nursing~~
99 ~~home or assisted living facility; anesthesia services provided~~
100 ~~in accordance with law; health care services provided in a~~
101 ~~designated rural health clinic; health care services provided to~~
102 ~~persons enrolled in a program designed to maintain elderly~~
103 ~~persons and persons with disabilities in a home or community-~~
104 ~~based setting; university primary care student health centers;~~
105 ~~school health clinics; or health care services provided in~~
106 ~~federal, state, or local government facilities. Subsection (3)~~
107 ~~and this subsection do not apply to offices at which the~~
108 ~~exclusive service being performed is laser hair removal by an~~
109 ~~advanced registered nurse practitioner or physician assistant.~~

110 ~~(5) REQUIREMENTS FOR NOTICE AND REVIEW. Upon initial~~
111 ~~referral of a patient by another practitioner, the physician~~
112 ~~receiving the referral must ensure that the patient is informed~~

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113 ~~of the type of license held by the physician and the type of~~
114 ~~license held by any other practitioner who will be providing~~
115 ~~services to the patient. When scheduling the initial examination~~
116 ~~or consultation following such referral, the patient may decide~~
117 ~~to see the physician or any other licensed practitioner~~
118 ~~supervised by the physician and, before the initial examination~~
119 ~~or consultation, shall sign a form indicating the patient's~~
120 ~~choice of practitioner. The supervising physician must review~~
121 ~~the medical record of the initial examination or consultation~~
122 ~~and ensure that a written report of the initial examination or~~
123 ~~consultation is furnished to the referring practitioner within~~
124 ~~10 business days following the completion of the initial~~
125 ~~examination or consultation.~~

126 ~~(6) LIMITATION ON RULEMAKING. This section is self-~~
127 ~~executing and does not require or provide authority for~~
128 ~~additional rulemaking.~~

129 Section 2. This act shall take effect July 1, 2011.