

ENROLLED
CS/HB 171

2012 Legislature

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2 An act relating to osteopathic physicians; amending s.
3 459.0055, F.S.; revising the requirements for
4 licensure or certification as an osteopathic physician
5 in this state; amending s. 459.021, F.S.; revising
6 provisions relating to registration of physicians,
7 interns, and fellows; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
10

11 Section 1. Paragraph (m) of subsection (1) and subsection
12 (2) of section 459.0055, Florida Statutes, are amended to read:
13 459.0055 General licensure requirements.—

14 (1) Except as otherwise provided herein, any person
15 desiring to be licensed or certified as an osteopathic physician
16 pursuant to this chapter shall:

17 (m) Demonstrate that she or he has obtained a passing
18 score, as established by rule of the board, on all parts of the
19 examination conducted by the National Board of Osteopathic
20 Medical Examiners or other examination approved by the board no
21 more than 5 years before making application in this state or, if
22 holding a valid active license in another state, that the
23 initial licensure in the other state occurred no more than 5
24 years after the applicant obtained a passing score on the
25 examination conducted by the National Board of Osteopathic
26 Medical Examiners or other substantially similar examination
27 approved by the board.

28 (2) If the applicant holds a valid active license in

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29 another state and it has been more than 2 years since the active
 30 practice of osteopathic medicine, or if an applicant does not
 31 hold a valid active license to practice osteopathic medicine in
 32 another state and it has been more than 2 years since completion
 33 of a resident internship, residency, or fellowship, and if the
 34 board determines that the interruption in practice has adversely
 35 affected the osteopathic physician's present ability and fitness
 36 to practice, the board may:

37 (a) Deny the application;

38 (b) Issue a license having reasonable restrictions or
 39 conditions that may include, but are not limited to, a
 40 requirement for the applicant to practice under the supervision
 41 of a physician approved by the board; or

42 (c) Issue a license upon receipt of documentation
 43 confirming that the applicant has met any reasonable conditions
 44 of the board which may include, but are not limited to,
 45 completing continuing education or undergoing an assessment of
 46 skills and training. ~~For an applicant holding a valid active~~
 47 ~~license in another state, he or she shall submit evidence of the~~
 48 ~~active licensed practice of medicine in another jurisdiction in~~
 49 ~~which initial licensure must have occurred no more than 5 years~~
 50 ~~after the applicant obtained a passing score on the examination~~
 51 ~~conducted by the National Board of Medical Examiners or other~~
 52 ~~substantially similar examination approved by the board;~~
 53 ~~however, such practice of osteopathic medicine may have been~~
 54 ~~interrupted for a period totaling no more than 2 years or for a~~
 55 ~~longer period if the board determines that the interruption of~~
 56 ~~the osteopathic physician's practice of osteopathic medicine for~~

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57 ~~such longer period has not adversely affected the osteopathic~~
58 ~~physician's present ability and fitness to practice osteopathic~~
59 ~~medicine.~~

60 Section 2. Subsections (1), (3), (4), and (6) of section
61 459.021, Florida Statutes, are amended to read:

62 459.021 Registration of resident physicians, interns, and
63 fellows; list of hospital employees; penalty.—

64 (1) Any person who holds a degree of Doctor of Osteopathic
65 Medicine from a college of osteopathic medicine recognized and
66 approved by the American Osteopathic Association who desires to
67 practice as a resident physician, ~~assistant resident physician,~~
68 ~~house physician,~~ intern, or fellow in fellowship training which
69 leads to subspecialty board certification in this state, or any
70 person desiring to practice as a resident physician, ~~assistant~~
71 ~~resident physician,~~ ~~house physician,~~ intern, or fellow in
72 fellowship training in a teaching hospital in this state as
73 defined in s. 408.07(45) or s. 395.805(2), who does not hold an
74 active license issued under this chapter shall apply to the
75 department to be registered, on an application provided by the
76 department, before commencing such a training program and shall
77 remit a fee not to exceed \$300 as set by the board.

78 (3) Every hospital or teaching hospital having employed or
79 contracted with or utilized the services of a person who holds a
80 degree of Doctor of Osteopathic Medicine from a college of
81 osteopathic medicine recognized and approved by the American
82 Osteopathic Association as a resident physician, ~~assistant~~
83 ~~resident physician,~~ ~~house physician,~~ intern, or fellow in
84 fellowship training registered under this section shall

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85 designate a person who shall furnish, on dates designated by the
86 board, in consultation with the department, to the department a
87 list of all such persons who have served in such hospital during
88 the preceding 6-month period. The chief executive officer of
89 each such hospital shall provide the executive director of the
90 board with the name, title, and address of the person
91 responsible for filing such reports.

92 (4) The registration may be revoked or the department may
93 refuse to issue any registration for any cause which would be a
94 ground for its revocation or refusal to issue a license to
95 practice osteopathic medicine, as well as on the following
96 grounds:

97 (a) Omission of the name of an intern, resident physician,
98 ~~assistant resident physician, house physician,~~ or fellow in
99 fellowship training from the list of employees required by
100 subsection (3) to be furnished to the department by the hospital
101 or teaching hospital served by the employee.

102 (b) Practicing osteopathic medicine outside of a bona fide
103 hospital training program.

104 (6) Any person desiring registration pursuant to this
105 section shall meet all the requirements of s. 459.0055, except
106 paragraphs (1)(l) and (m).

107 Section 3. This act shall take effect July 1, 2012.