

By Senator Negrón

28-00401A-12

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1 A bill to be entitled
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
29 another state and it has been more than 2 years since the active

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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 the
34 board determines that the applicant may lack clinical
35 competency, possess diminished or inadequate skills, lack
36 necessary medical knowledge, or exhibit patterns of deficits in
37 clinical decisionmaking, the board may:

38 (a) Deny the application;

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

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

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59 ~~physician's present ability and fitness to practice osteopathic~~
60 ~~medicine.~~

61 Section 2. Subsections (1), (3), (4), and (6) of section
62 459.021, Florida Statutes, are amended to read:

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

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

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

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88 list of all such persons who have served in such hospital during
89 the preceding 6-month period. The chief executive officer of
90 each such hospital shall provide the executive director of the
91 board with the name, title, and address of the person
92 responsible for filing such reports.

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

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

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

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

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