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2013

1                                   A bill to be entitled  
 2           An act relating to health care providers; creating s.  
 3           456.0125, F.S.; providing legislative intent;  
 4           providing definitions; creating the Standardized  
 5           Credentials Collection and Verification program for  
 6           health care providers; providing procedures and  
 7           requirements with respect to the program; authorizing  
 8           the Department of Health to adopt rules to develop and  
 9           implement the program; providing an effective date.

10  
 11           WHEREAS, the Legislature recognizes that an efficient and  
 12           effective health care practitioner credentialing program helps  
 13           ensure access to quality health care and the demand for health  
 14           care practitioner credentialing activities has increased as a  
 15           result of health care reform and recent changes affecting the  
 16           delivery of and reimbursement for health care, and

17           WHEREAS, the resulting duplication of health care  
 18           practitioner credentialing activities is costly and cumbersome  
 19           for both the practitioner and the entity granting practice  
 20           privileges, NOW, THEREFORE,

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

23  
 24           Section 1. Section 456.0125, Florida Statutes, is created  
 25           to read:

26           456.0125 Standardized Credentials Collection and  
 27           Verification Program for health care providers.-

28           (1) It is the intent of the Legislature to establish the

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29 Standardized Credentials Collection and Verification program and  
30 designate an entity to act as a repository for the core  
31 credentials data of health care practitioners and ensure that  
32 this information is collected only once unless a correction,  
33 update, or modification to the data is required. The Legislature  
34 further intends that the credentials collection and verification  
35 entity, the department, and health care practitioners work  
36 cooperatively to ensure the integrity and accuracy of the  
37 program. A health care practitioner as defined in s. 456.001(4),  
38 an insurance company operating in accordance with chapter 624  
39 that offers health insurance coverage under part VI of chapter  
40 627, a health maintenance organization as defined in s.  
41 641.19(12), or an entity licensed under chapter 395 must  
42 participate in the program.

43 (2) As used in this section, the term:

44 (a) "Accredited" or "certified" means approved by a  
45 national accrediting organization as defined in paragraph (g),  
46 or other nationally recognized and accepted organization  
47 authorized by the department to assess and certify a credentials  
48 collection and verification program, or another entity or  
49 organization that verifies the credentials of a health care  
50 practitioner.

51 (b) "Core credentials data" means data that is verified by  
52 a primary source as described in paragraph (h) and includes  
53 professional education, professional training, licensure,  
54 current Drug Enforcement Administration certification, specialty  
55 board certification, Educational Commission for Foreign Medical  
56 Graduates certification, and final disciplinary action reported

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57 pursuant to s. 456.039(1)(a)8. or s. 456.0391(1)(a)8.

58 (c) "Credential" or "credentialing" means the process by  
59 which the qualifications of a licensed health care practitioner  
60 or an applicant for licensure as a health care provider are  
61 assessed and verified.

62 (d) "Credentials collection and verification entity" or  
63 "CCVE" means an organization controlled by a statewide  
64 association of physicians licensed pursuant to chapter 458 or  
65 chapter 459 that has been in existence since July 1, 2003, and  
66 was selected by the department to collect and store  
67 credentialing data, documents, and information.

68 (e) "Health care entity" means:

69 1. A health care facility licensed pursuant to chapter  
70 395;

71 2. An entity licensed by the Department of Insurance as a  
72 prepaid health care plan, a health maintenance organization, or  
73 an insurer that provides coverage for health care services  
74 through a network of health care providers or similar  
75 organizations licensed under chapter 627, chapter 636, chapter  
76 641, or chapter 651; or

77 3. An accredited medical school in the state.

78 (f) "Health care practitioner" means a person licensed or,  
79 for credentialing purposes only, a person applying for licensure  
80 as a health care practitioner as defined in s. 456.001(4).

81 (g) "National accrediting organization" means an  
82 organization that awards accreditation or certification to  
83 hospitals, managed care organizations, credentials collection  
84 and verification entities, or other health care entities,

85 including, but not limited to, the Joint Commission, the  
 86 American Accreditation HealthCare Commission (URAC), and the  
 87 National Committee for Quality Assurance (NCQA).

88 (h) "Primary source verification" means verification of  
 89 professional qualifications based on evidence obtained directly  
 90 from the issuing source of the applicable qualification, any  
 91 other source deemed as a primary source for verification by the  
 92 department, or an accrediting organization as defined in  
 93 paragraph (g) approved by the department.

94 (i) "Professional training" means any internship,  
 95 residency, or fellowship related to the profession for which the  
 96 health care practitioner is licensed or seeking licensure.

97 (j) "Specialty board certification" means certification in  
 98 a specialty issued by a specialty board that is recognized by a  
 99 board as defined in s. 456.001(1) and that regulates the  
 100 profession for which the health care practitioner is licensed or  
 101 seeking licensure.

102 (3) The Standardized Credentials Collection and  
 103 Verification program is established and shall be administered by  
 104 the department, as follows:

105 (a) Each health care practitioner shall report all core  
 106 credentials data to the CCVE and notify the CCVE within 45 days  
 107 after any corrections, updates, or modifications are made to the  
 108 core credentials data. Failure to report and update information  
 109 as required under this paragraph constitutes a ground for  
 110 disciplinary action under the respective licensing chapter and  
 111 s. 456.072(1)(k). If a licensee or person applying for initial  
 112 licensure fails to report and update information as required

113 under this paragraph, the department or board, as appropriate,  
 114 may:

115 1. For a person applying for initial licensure, refuse to  
 116 issue a license.

117 2. For a licensee, issue a citation pursuant to s. 456.077  
 118 and assess a fine, as determined by rule by the board or  
 119 department.

120 (b) The department:

121 1. Shall contract with one CCVE to collect and store  
 122 credentialing data, documents, and information. When authorized  
 123 by a health care practitioner, the department shall furnish such  
 124 data, documents, and information to a designated health care  
 125 entity. The CCVE must be fully accredited or certified by a  
 126 national accrediting organization. If a CCVE fails to maintain  
 127 full accreditation or certification or provide data authorized  
 128 by a health care practitioner, the department may terminate the  
 129 contract with the CCVE.

130 2. Shall require the CCVE to maintain liability insurance  
 131 sufficient to meet the certification or accreditation  
 132 requirements established under this section.

133 3. Shall develop standardized forms on which a health care  
 134 practitioner may initially report and authorize the release of  
 135 core credentials data and subsequently report corrections,  
 136 updates, and modifications to that data.

137 4. May designate by rule additional elements of the core  
 138 credentials data required under this section.

139 (c) The CCVE shall:

140 1. Maintain a complete current file of applicable core

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141 credentials data on each health care practitioner.

142 2. If authorized by the health care practitioner, release  
143 the core credentials data and any corrections, updates, and  
144 modifications to the data that are otherwise confidential or  
145 exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I  
146 of the State Constitution to a health care entity.

147 (d) A health care entity:

148 1. Shall use the CCVE to obtain core credentials data,  
149 including corrections, updates, and modifications to the data,  
150 about any health care practitioner considered for or renewing  
151 membership in, privileges with, or participation in any plan or  
152 program with the health care entity.

153 2. May not request core credentials data from the health  
154 care practitioner.

155 (4) This section may not restrict the authority of a  
156 health care entity to credential, approve, or deny an  
157 application for hospital staff membership, clinical privileges,  
158 or participation in a managed care network.

159 (5) A health care entity may rely upon any data that has  
160 been verified by the CCVE to meet the primary source  
161 verification requirements of a national accrediting  
162 organization.

163 (6) The department shall adopt rules necessary to develop  
164 and implement the program established under this section.

165 Section 2. This act shall take effect July 1, 2013.