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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2014	.	
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The Committee on Appropriations (Bradley) recommended the following:

1 **Senate Amendment to Amendment (936674) (with title**
2 **amendment)**

3
4 Between lines 898 and 899
5 insert:

6 Section 27. Subsections (3) through (5) of section 458.315,
7 Florida Statutes, are renumbered as subsections (2) through (4),
8 respectively, and subsections (1) and (2) of that section are
9 amended, to read:

10 458.315 Temporary certificate for practice in areas of



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11 critical need.-

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

15 ~~(1)(2) A~~ Any physician who:

16 ~~(a) is licensed to practice in any jurisdiction of in the~~
17 ~~United States and whose license is currently valid; or~~

18 ~~(b) Has served as a physician in the United States Armed~~
19 ~~Forces for at least 10 years and received an honorable discharge~~
20 ~~from the military;~~

21
22 and who pays an application fee of \$300 may be issued a
23 temporary certificate for practice in areas of critical need.

24 Section 28. Section 458.3151, Florida Statutes, is created
25 to read:

26 458.3151 Temporary certificate for active duty military and
27 veterans practicing in areas of critical need.-

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

31 (2) The board may issue a temporary certificate to a
32 physician who complies with subsection (3) and who will:

33 (a) Practice in an area of critical need;

34 (b) Be employed by or practice in a county health
35 department; correctional facility; Department of Veterans'
36 Affairs clinic; community health center funded by s. 329, s.
37 330, or s. 340 of the United States Public Health Services Act;
38 or other agency or institution that is approved by the State
39 Surgeon General and provides health care to meet the needs of



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40 underserved populations in this state; or

41 (c) Practice for a limited time to address critical
42 physician-specialty, demographic, or geographic needs for this
43 state's physician workforce as determined by the State Surgeon
44 General.

45 (3) To be eligible for a temporary certificate, a physician
46 must submit to the board:

47 (a) A complete application.

48 (b) Proof of an active and valid license to practice in a
49 jurisdiction of the United States.

50 (c) If on active duty, a letter from the physician's
51 military command authorizing the physician to practice medicine
52 at an approved entity in an area of critical need.

53 (d) Documentation demonstrating the physician is serving on
54 active duty in the United States Armed Forces as a commissioned
55 medical officer or has served as a commissioned medical officer
56 in the United States Armed Forces for at least 10 years and
57 received an honorable discharge from the military.

58 (4) The board shall use a simplified application for a
59 temporary certificate for practice in areas of critical need to
60 reduce administrative impediments and maximize participation.

61 (5) The application fee and all licensure fees, including
62 neurological injury compensation assessments, shall be waived
63 for a physician obtaining a temporary certificate to practice in
64 areas of critical need for the purpose of providing volunteer,
65 uncompensated care for low-income residents. The applicant must
66 submit an affidavit from the employing agency or institution
67 stating that the physician will not receive any compensation for
68 any service involving the practice of medicine.



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69 (6) (a) Within 60 days after receipt of a complete
70 application for a temporary certificate, the board shall review
71 the application and associated documentation and:

- 72 1. Issue the temporary certificate;
73 2. Deny the temporary certificate; or
74 3. Require the applicant to complete additional assessment,
75 training, education, or other requirements as a condition of
76 certification. The board shall issue a temporary certificate
77 upon receipt of documentation demonstrating that the
78 requirements of the board have been met.

79 (b) If an applicant has not actively practiced medicine
80 during the prior 3 years and the board determines the applicant
81 may lack clinical competency, possess diminished or inadequate
82 skills, lack necessary medical knowledge, or exhibit patterns of
83 deficits in clinical decisionmaking, the board may, within 60
84 days after receipt of a complete application:

- 85 1. Deny the application;
86 2. Issue a temporary certificate having reasonable
87 restrictions, including, but not limited to, a requirement that
88 the applicant practice under the supervision of a physician
89 approved by the board; or
90 3. Issue a temporary certificate upon receipt of
91 documentation confirming that the applicant has met any
92 reasonable conditions of the board, including, but not limited
93 to, completing continuing education or undergoing an assessment
94 of skills and training.

95 (c) The board may not issue a temporary certificate for
96 practice in areas of critical need to a physician who is under
97 investigation in any jurisdiction of the United States for an



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98 act that would constitute a violation of this chapter until such
99 time as the investigation is complete, at which time the
100 provisions of s. 458.331 apply.

101 (7) The recipient of a temporary certificate for practice
102 in areas of critical need shall, within 30 days after accepting
103 employment, notify the board of all approved institutions in
104 which the licensee practices and of all approved institutions
105 where practice privileges have been denied. A physician holding
106 a temporary certificate for practice in areas of critical need
107 may enter into a contract to provide volunteer health care
108 services pursuant to s. 766.1115.

109 (8) A temporary certificate issued under this section is
110 valid only so long as the State Surgeon General determines that
111 the reason for which it was issued remains a critical need to
112 the state. The board shall review each temporary
113 certificateholder at least annually to ascertain compliance with
114 the minimum requirements of this chapter, including this
115 section, and rules adopted thereunder. If it is determined that
116 such minimum requirements are not being met, the board shall
117 revoke such certificate or shall impose restrictions or
118 conditions, or both, as a condition of continued practice under
119 the certificate.

120 Section 29. Subsections (3) through (5) of section
121 459.0076, Florida Statutes, are renumbered as subsections (2)
122 through (4), respectively, and subsections (1) and (2) of that
123 section are amended, to read:

124 459.0076 Temporary certificate for practice in areas of
125 critical need.—

126 ~~(1) A certificate issued pursuant to this section may be~~



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127 ~~ited as the "Rear Admiral LeRoy Collins, Jr., Temporary~~
128 ~~Certificate for Practice in Areas of Critical Need."~~

129 ~~(1)(2) A~~ A Any physician who:

130 ~~(a)~~ is licensed to practice in any jurisdiction of in the
131 United States and whose license is currently valid; ~~or~~

132 ~~(b) Has served as a physician in the United States Armed~~
133 ~~Forces for at least 10 years and received an honorable discharge~~
134 ~~from the military;~~

135
136 and who pays an application fee of \$300 may be issued a
137 temporary certificate for practice in areas of critical need.

138 Section 30. Section 459.00761, Florida Statutes, is created
139 to read:

140 459.00761 Temporary certificate for active duty military
141 and veterans practicing in areas of critical need.—

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

145 (2) The board may issue a temporary certificate to a
146 physician who complies with subsection (3) and who will:

147 (a) Practice in an area of critical need;

148 (b) Be employed by or practice in a county health
149 department; correctional facility; Department of Veterans'
150 Affairs clinic; community health center funded by s. 329, s.
151 330, or s. 340 of the United States Public Health Services Act;
152 or other agency or institution that is approved by the State
153 Surgeon General and provides health care to meet the needs of
154 underserved populations in this state; or

155 (c) Practice for a limited time to address critical



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156 physician-specialty, demographic, or geographic needs for this
157 state's physician workforce as determined by the State Surgeon
158 General.

159 (3) To be eligible for a temporary certificate, a physician
160 must submit to the board:

161 (a) A complete application.

162 (b) Proof of an active and valid license to practice in any
163 jurisdiction of the United States.

164 (c) If on active duty, a letter from the physician's
165 military command authorizing the physician to practice medicine
166 at an approved entity in an area of critical need.

167 (d) Documentation demonstrating the physician is serving on
168 active duty in the United States Armed Forces as a commissioned
169 medical officer or has served as a commissioned medical officer
170 in the United States Armed Forces for at least 10 years and
171 received an honorable discharge from the military.

172 (4) The board shall use a simplified application for a
173 temporary certificate for practice in areas of critical need to
174 reduce administrative impediments and maximize participation.

175 (5) The application fee and all licensure fees, including
176 neurological injury compensation assessments, shall be waived
177 for a physician obtaining a temporary certificate to practice in
178 areas of critical need for the purpose of providing volunteer,
179 uncompensated care for low-income residents. The applicant must
180 submit an affidavit from the employing agency or institution
181 stating that the physician will not receive any compensation for
182 any service involving the practice of medicine.

183 (6) (a) Within 60 days after receipt of a complete
184 application for a temporary certificate, the board shall review



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185 the application and associated documentation and:

186 1. Issue the temporary certificate;

187 2. Deny the temporary certificate; or

188 3. Require the applicant to complete additional assessment,

189 training, education, or other requirements as a condition of

190 certification. The board shall issue a temporary certificate

191 upon receipt of documentation demonstrating that the

192 requirements of the board have been met.

193 (b) If an applicant has not actively practiced medicine

194 during the prior 3 years and the board determines the applicant

195 may lack clinical competency, possess diminished or inadequate

196 skills, lack necessary medical knowledge, or exhibit patterns of

197 deficits in clinical decisionmaking, the board may, within 60

198 days after receipt of a complete application:

199 1. Deny the application;

200 2. Issue a temporary certificate having reasonable

201 restrictions, including, but not limited to, a requirement that

202 the applicant practice under the supervision of a physician

203 approved by the board; or

204 3. Issue a temporary certificate upon receipt of

205 documentation confirming that the applicant has met any

206 reasonable conditions of the board, including, but not limited

207 to, completing continuing education or undergoing an assessment

208 of skills and training.

209 (c) The board may not issue a temporary certificate for

210 practice in areas of critical need to a physician who is under

211 investigation in any jurisdiction of the United States for an

212 act that would constitute a violation of this chapter until such

213 time as the investigation is complete, at which time the



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214 provisions of s. 459.015 apply.

215 (7) The recipient of a temporary certificate for practice
216 in areas of critical need shall, within 30 days after accepting
217 employment, notify the board of all approved institutions in
218 which the licensee practices and of all approved institutions
219 where practice privileges have been denied. A physician holding
220 a temporary certificate for practice in areas of critical need
221 may enter into a contract to provide volunteer health care
222 services pursuant to s. 766.1115.

223 (8) A temporary certificate issued under this section is
224 valid as long as the State Surgeon General determines that the
225 reason for which it was issued remains a critical need to the
226 state. The board shall review each temporary certificateholder
227 at least annually to ascertain compliance with the minimum
228 requirements of this chapter, including this section, and rules
229 adopted thereunder. If it is determined that such minimum
230 requirements are not being met, the board shall revoke such
231 certificate or shall impose restrictions or conditions, or both,
232 as a condition of continued practice under the certificate.

233
234 ===== T I T L E A M E N D M E N T =====

235 And the title is amended as follows:

236 Delete line 1092

237 and insert:

238 for certain health care practitioners; amending ss.
239 458.315 and 459.0076, F.S.; revising provisions for
240 issuance of temporary certificates for practice in
241 areas of critical need to conform to changes made by
242 the act; creating ss. 458.3151 and 459.00761, F.S.;



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243 providing application requirements and procedures for
244 active duty military and veteran physicians to obtain
245 temporary certificates for practice in areas of
246 critical need; amending s.