

By Senator Hutson

6-00879C-16

20161620__

1 A bill to be entitled
2 An act relating to concussions and head injuries in
3 children; amending ss. 458.319, 458.347, 459.008,
4 459.022, and 464.013, F.S.; requiring certain nurses,
5 physicians, and physician assistants to complete
6 continuing education relating to concussions and head
7 injuries in children; providing an effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Subsection (1) of section 458.319, Florida
12 Statutes, is amended to read:

13 458.319 Renewal of license.—

14 (1) (a) The department shall renew a license upon receipt of
15 the renewal application, evidence that the applicant has
16 actively practiced medicine or has been on the active teaching
17 faculty of an accredited medical school for at least 2 years of
18 the immediately preceding 4 years, and a fee not to exceed \$500;
19 provided, however, that if the licensee is either a resident
20 physician, assistant resident physician, fellow, house
21 physician, or intern in an approved postgraduate training
22 program, as defined by the board by rule, the fee shall not
23 exceed \$100 per annum. If the licensee has not actively
24 practiced medicine for at least 2 years of the immediately
25 preceding 4 years, the board shall require that the licensee
26 successfully complete a board-approved clinical competency
27 examination before ~~prior to~~ renewal of the license. For purposes
28 of this paragraph, the term "actively practiced medicine" means
29 that practice of medicine by physicians, including those
30 employed by any governmental entity in community or public
31 health, as defined by this chapter, including physicians
32 practicing administrative medicine.

6-00879C-16

20161620__

33 (b) An applicant for a renewed license whose practice of
34 medicine involves the treatment of children must also complete
35 at least 2 hours of continuing medical education on concussions
36 and head injuries in children, including, at a minimum, the
37 prevention, symptoms, risks, treatment, and long-term effects of
38 concussions and other head injuries.

39 (c) An applicant for a renewed license must also submit the
40 information required under s. 456.039 to the department on a
41 form and under procedures specified by the department, along
42 with payment in an amount equal to the costs incurred by the
43 Department of Health for the statewide criminal background check
44 of the applicant. The applicant must submit a set of
45 fingerprints to the Department of Health on a form and under
46 procedures specified by the department, along with payment in an
47 amount equal to the costs incurred by the department for a
48 national criminal background check of the applicant for the
49 initial renewal of his or her license after January 1, 2000. If
50 the applicant fails to submit either the information required
51 under s. 456.039 or a set of fingerprints to the department as
52 required by this section, the department shall issue a notice of
53 noncompliance, and the applicant will be given 30 additional
54 days to comply. If the applicant fails to comply within 30 days
55 after the notice of noncompliance is issued, the department or
56 board, as appropriate, may issue a citation to the applicant and
57 may fine the applicant up to \$50 for each day that the applicant
58 is not in compliance with the requirements of s. 456.039. The
59 citation must clearly state that the applicant may choose, in
60 lieu of accepting the citation, to follow the procedure under s.
61 456.073. If the applicant disputes the matter in the citation,

6-00879C-16

20161620__

62 the procedures set forth in s. 456.073 must be followed.
63 However, if the applicant does not dispute the matter in the
64 citation with the department within 30 days after the citation
65 is served, the citation becomes a final order and constitutes
66 discipline. Service of a citation may be made by personal
67 service or certified mail, restricted delivery, to the subject
68 at the applicant's last known address. If an applicant has
69 submitted fingerprints to the department for a national criminal
70 history check upon initial licensure and is renewing his or her
71 license for the first time, then the applicant need only submit
72 the information and fee required for a statewide criminal
73 history check.

74 Section 2. Paragraph (d) of subsection (7) of section
75 458.347, Florida Statutes, is amended to read:

76 458.347 Physician assistants.—

77 (7) PHYSICIAN ASSISTANT LICENSURE.—

78 (d) Each licensed physician assistant shall biennially
79 complete 100 hours of continuing medical education or shall hold
80 a current certificate issued by the National Commission on
81 Certification of Physician Assistants. A physician assistant
82 whose practice involves the treatment of children must also
83 complete at least 2 hours of continuing medical education on
84 concussions and head injuries in children, including, at a
85 minimum, the prevention, symptoms, risks, treatment, and long-
86 term effects of concussions and other head injuries.

87 Section 3. Subsection (1) of section 459.008, Florida
88 Statutes, is amended to read:

89 459.008 Renewal of licenses and certificates.—

90 (1) (a) The department shall renew a license or certificate

6-00879C-16

20161620__

91 upon receipt of the renewal application and fee.

92 (b) An applicant for a renewed license whose practice of
93 medicine involves the treatment of children must also complete
94 at least 2 hours of continuing medical education on concussions
95 and head injuries in children, including, at a minimum, the
96 prevention, symptoms, risks, treatment, and long-term effects of
97 concussions and other head injuries.

98 (c) An applicant for a renewed license must also submit the
99 information required under s. 456.039 to the department on a
100 form and under procedures specified by the department, along
101 with payment in an amount equal to the costs incurred by the
102 Department of Health for the statewide criminal background check
103 of the applicant. The applicant must submit a set of
104 fingerprints to the Department of Health on a form and under
105 procedures specified by the department, along with payment in an
106 amount equal to the costs incurred by the department for a
107 national criminal background check of the applicant for the
108 initial renewal of his or her license after January 1, 2000. If
109 the applicant fails to submit either the information required
110 under s. 456.039 or a set of fingerprints to the department as
111 required by this section, the department shall issue a notice of
112 noncompliance, and the applicant will be given 30 additional
113 days to comply. If the applicant fails to comply within 30 days
114 after the notice of noncompliance is issued, the department or
115 board, as appropriate, may issue a citation to the applicant and
116 may fine the applicant up to \$50 for each day that the applicant
117 is not in compliance with the requirements of s. 456.039. The
118 citation must clearly state that the applicant may choose, in
119 lieu of accepting the citation, to follow the procedure under s.

6-00879C-16

20161620__

120 456.073. If the applicant disputes the matter in the citation,
121 the procedures set forth in s. 456.073 must be followed.
122 However, if the applicant does not dispute the matter in the
123 citation with the department within 30 days after the citation
124 is served, the citation becomes a final order and constitutes
125 discipline. Service of a citation may be made by personal
126 service or certified mail, restricted delivery, to the subject
127 at the applicant's last known address. If an applicant has
128 submitted fingerprints to the department for a national criminal
129 history check upon initial licensure and is renewing his or her
130 license for the first time, then the applicant need only submit
131 the information and fee required for a statewide criminal
132 history check.

133 Section 4. Paragraph (c) of subsection (7) of section
134 459.022, Florida Statutes, is amended to read:

135 459.022 Physician assistants.—

136 (7) PHYSICIAN ASSISTANT LICENSURE.—

137 (c) Each licensed physician assistant shall biennially
138 complete 100 hours of continuing medical education or shall hold
139 a current certificate issued by the National Commission on
140 Certification of Physician Assistants. A physician assistant
141 whose practice involves the treatment of children must also
142 complete at least 2 hours of continuing medical education on
143 concussions and head injuries in children, including, at a
144 minimum, the prevention, symptoms, risks, treatment, and long-
145 term effects of concussions and other head injuries.

146 Section 5. Subsection (3) of section 464.013, Florida
147 Statutes, is amended to read:

148 464.013 Renewal of license or certificate.—

6-00879C-16

20161620__

149 (3) The board shall by rule prescribe up to 30 hours of
150 continuing education biennially as a condition for renewal of a
151 license or certificate. A nurse whose practice involves the
152 treatment of children must also complete at least 2 hours of
153 continuing education on concussions and head injuries in
154 children, including, at a minimum, the prevention, symptoms,
155 risks, treatment, and long-term effects of concussions and other
156 head injuries. A nurse who is certified by a health care
157 specialty program accredited by the National Commission for
158 Certifying Agencies or the Accreditation Board for Specialty
159 Nursing Certification is exempt from continuing education
160 requirements. The criteria for programs shall be approved by the
161 board.

162 Section 6. This act shall take effect July 1, 2016.