



148648

LEGISLATIVE ACTION

|            |   |       |
|------------|---|-------|
| Senate     | . | House |
| Comm: RCS  | . |       |
| 04/03/2017 | . |       |
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The Committee on Health Policy (Young) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 456.0291, Florida Statutes, is created  
to read:

456.0291 Recognizing agency certificate.-

(1) The department shall issue a certificate authorizing a  
recognizing agency to grant physicians licensed under chapters  
458 and 459 formal recognition as specialists in a particular



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11 area within the practice of medicine, if the recognizing agency  
12 submits a complete registration application containing the  
13 recognizing agency's legal name, mailing address, telephone  
14 number, and business location; the particular area within the  
15 practice of medicine in which the agency will recognize a  
16 physician as a specialist; the requirements the agency will  
17 impose for a physician to be eligible to receive formal  
18 recognition as a specialist; and the amount of any fee charged  
19 to a physician to apply for, receive, and maintain formal  
20 recognition as a specialist from the agency.

21 (2) The department shall approve an application for a  
22 recognizing agency certificate within 60 business days after  
23 receipt of the completed application if the recognizing agency  
24 meets all of the following requirements:

25 (a) It is an independent body that certifies members as  
26 having advanced qualifications in a particular allopathic or  
27 osteopathic medical specialty through peer-reviewed  
28 demonstrations of competence in the specialty being recognized.

29 (b) It requires successful completion of a comprehensive  
30 examination administered by the recognizing agency pursuant to  
31 written procedures that ensure adequate security and appropriate  
32 grading standards.

33 (c) It has been determined by the Internal Revenue Service  
34 of the United States to be a legitimate nonprofit entity  
35 pursuant to s. 501(c)(3) of the Internal Revenue Code.

36 (d) It has full-time administrative staff housed in  
37 dedicated office space that is appropriate for the agency's  
38 program and sufficient for responding to consumer or regulatory  
39 inquiries.



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40 (e) It has written by-laws, a code of ethics to guide the  
41 practice of its members, and an internal review and control  
42 process, including budgetary practices, to ensure effective use  
43 of resources.

44 (f) It does not mandate that physicians who receive initial  
45 certification from the recognizing agency undergo a maintenance  
46 of certification process that involves a periodic testing  
47 regimen, proprietary self-assessment, or peer evaluation in  
48 order to retain certification, other than the continuing medical  
49 education hours required for recertification under paragraph  
50 (h).

51 (g) It does not charge more than \$500 every 2 years for  
52 recertification.

53 (h) It requires only a specified number of continuing  
54 medical education hours for recertification.

55 (3) The Board of Medicine and the Board of Osteopathic  
56 Medicine may adopt rules to implement this section. These rules  
57 may impose additional requirements on applicants for a  
58 recognizing agency certificate.

59 Section 2. Section 458.3312, Florida Statutes, is amended  
60 to read:

61 458.3312 Specialties.—A physician licensed under this  
62 chapter may not hold himself or herself out as a board-certified  
63 specialist unless the physician has received formal recognition  
64 as a specialist from a ~~specialty board of the American Board of~~  
65 ~~Medical Specialties or other~~ recognizing agency that has  
66 received a certificate issued ~~been approved~~ by the department in  
67 accordance with s. 456.0291 ~~board~~. However, a physician may  
68 indicate the services offered and may state that his or her



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69 practice is limited to one or more types of services when this  
70 accurately reflects the scope of practice of the physician. A  
71 physician may not hold himself or herself out as a board-  
72 certified specialist in dermatology unless the recognizing  
73 agency, whether authorized in statute or by rule, is triennially  
74 reviewed and reauthorized by the Board of Medicine.

75 Section 3. Section 459.0152, Florida Statutes, is amended  
76 to read:

77 459.0152 Specialties.—An osteopathic physician licensed  
78 under this chapter may not hold himself or herself out as a  
79 board-certified specialist unless he or she ~~the osteopathic~~  
80 ~~physician has successfully completed the requirements for~~  
81 ~~certification by the American Osteopathic Association or the~~  
82 ~~Accreditation Council on Graduate Medical Education and is~~  
83 certified as a specialist by a recognizing certifying agency  
84 that has received a certificate issued approved by the  
85 department in accordance with s. 456.0291 ~~board~~. However, an  
86 osteopathic physician may indicate the services offered and may  
87 state that his or her practice is limited to one or more types  
88 of services when this accurately reflects the scope of practice  
89 of the osteopathic physician.

90 Section 4. This act shall take effect July 1, 2018.

91  
92 ===== T I T L E A M E N D M E N T =====

93 And the title is amended as follows:

94 Delete everything before the enacting clause  
95 and insert:

96 A bill to be entitled  
97 An act relating to medical specialties; creating s.



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98 456.0291, F.S.; requiring the Department of Health to  
99 issue a certificate authorizing recognizing agencies  
100 to grant certain licensed physicians formal  
101 recognition as specialists in a particular area if the  
102 recognizing agency submits a completed application to  
103 the department and meets specified requirements;  
104 authorizing the Board of Medicine and the Board of  
105 Osteopathic Medicine to adopt rules to implement the  
106 certificate process; amending ss. 458.3312 and  
107 459.0152, F.S.; providing that a physician may not  
108 hold himself or herself out as a board-certified  
109 specialist unless the physician has received formal  
110 recognition as a specialist from a recognizing agency  
111 that has received a certificate issued by the  
112 department; providing an effective date.