

By Senator Young

18-00951-17

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1                                   A bill to be entitled  
 2           An act relating to maintenance of certification;  
 3           creating ss. 458.3113 and 459.0056, F.S.; providing  
 4           definitions; providing legislative intent; prohibiting  
 5           the Boards of Medicine and Osteopathic Medicine,  
 6           respectively, and the Department of Health, health  
 7           care facilities, and insurers from requiring certain  
 8           certifications as conditions of licensure,  
 9           reimbursement, employment, or admitting privileges;  
 10          providing construction; providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

13  
 14           Section 1. Section 458.3113, Florida Statutes, is created  
 15 to read:

16           458.3113 Conditions of licensure, reimbursement,  
 17 employment, or admitting privileges.-

18           (1) For purposes of this section, the term:

19           (a) "Maintenance of certification" means a periodic testing  
 20 regimen, proprietary self-assessment requirement, peer  
 21 evaluation, or other requirement imposed by a recognizing agency  
 22 approved by the board pursuant to rule 64B8-11.001, Florida  
 23 Administrative Code.

24           (b) "Recertification" means a subsequent recognition or  
 25 certification of educational or scholarly achievement beyond  
 26 initial board certification in a subspecialty by a recognizing  
 27 agency approved by the board pursuant to rule 64B8-11.001,  
 28 Florida Administrative Code.

29           (2) It is the intent of the Legislature to further improve

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30 the efficiency of the health care market and eliminate  
31 unnecessary administrative and regulatory requirements.

32 (3) Notwithstanding any other provision of law, the board,  
33 the department, a health care facility licensed under chapter  
34 395, or an insurer as defined in s. 624.03 may not require  
35 maintenance of certification or recertification as a condition  
36 of licensure, reimbursement, employment, or admitting privileges  
37 for a physician who practices medicine and has achieved initial  
38 board certification in a subspecialty pursuant to this chapter.

39 (4) This section may not be construed to prohibit the board  
40 from requiring continuing medical education pursuant to rule  
41 64B8-13.001, Florida Administrative Code.

42 Section 2. Section 459.0056, Florida Statutes, is created  
43 to read:

44 459.0056 Conditions of licensure, reimbursement,  
45 employment, or admitting privileges.-

46 (1) For purposes of this section, the term:

47 (a) "Maintenance of certification" means a periodic testing  
48 regimen, proprietary self-assessment requirement, peer  
49 evaluation, or other requirement imposed by a recognizing agency  
50 approved by the board pursuant to rule 64B15-14.001, Florida  
51 Administrative Code.

52 (b) "Recertification" means a subsequent recognition or  
53 certification of educational or scholarly achievement beyond  
54 initial board certification in a subspecialty by a recognizing  
55 agency approved by the board pursuant to rule 64B15-14.001,  
56 Florida Administrative Code.

57 (2) It is the intent of the Legislature to further improve  
58 the efficiency of the health care market and eliminate

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59 unnecessary administrative and regulatory requirements.

60 (3) Notwithstanding any other provision of law, the board,  
61 the department, a health care facility licensed under chapter  
62 395, or an insurer as defined in s. 624.03 may not require  
63 maintenance of certification or recertification as a condition  
64 of licensure, reimbursement, employment, or admitting privileges  
65 for an osteopathic physician who practices medicine and has  
66 achieved initial board certification in a subspecialty pursuant  
67 to this chapter.

68 (4) This section may not be construed to prohibit the board  
69 from requiring continuing medical education pursuant to rule  
70 64B15-13.001, Florida Administrative Code.

71 Section 3. This act shall take effect July 1, 2017.