

1                                   A bill to be entitled  
 2           An act relating to doctors of medical science;  
 3           creating ss. 458.3471 and 459.0221, F.S.; providing  
 4           definitions; providing requirements for licensure and  
 5           licensure renewal as a doctor of medical science;  
 6           providing rulemaking authority; amending s. 381.986,  
 7           F.S.; revising the definition of the term "qualified  
 8           patient"; authorizing doctors of medical science to  
 9           order low-THC cannabis or medical cannabis for  
 10          qualified patients and add such patients to the  
 11          compassionate use registry; amending s. 456.44, F.S.;  
 12          revising the definition of the term "registrant" to  
 13          include doctors of medical science; authorizing  
 14          doctors of medical science to prescribe controlled  
 15          substances under certain conditions; reenacting s.  
 16          456.001(4), F.S., relating to definitions; providing  
 17          an effective date.

18  
 19 Be It Enacted by the Legislature of the State of Florida:

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 21           Section 1.   Section 458.3471, Florida Statutes, is created  
 22 to read:

- 23           458.3471 Doctors of medical science.-  
 24           (1) DEFINITIONS.-As used in this part, the term:  
 25           (a) "Boards" means the Board of Medicine and Board of

26 Osteopathic Medicine.

27 (b) "Doctor of medical science" means an individual who is  
28 licensed under this section to lawfully render diagnostic and  
29 therapeutic physician services in primary health care pursuant  
30 to the provisions of chapters 458 and 459.

31 (c) "Doctor of medical science program" means a doctoral  
32 medical program that provides to physician assistants training  
33 in advanced clinical medicine and preparation in clinical  
34 practice equivalent to the clinical practice of a primary health  
35 care physician.

36 (d) "Physician" means a person licensed to practice  
37 medicine pursuant to chapter 458 or osteopathic medicine  
38 pursuant to chapter 459.

39 (e) "Physician assistant" has the same meaning as in ss.  
40 458.347(2)(e) and 459.022(2)(e).

41 (f) "Primary health care" means health care services that  
42 are commonly provided to patients without referral from another  
43 practitioner.

44 (2) LICENSURE; REQUIREMENTS; RENEWAL.—

45 (a) Any person desiring to be licensed as a doctor of  
46 medical science must apply to the department for licensure. The  
47 department shall issue a license to any person certified by the  
48 board who:

49 1. Is licensed and has served in clinical practice for at  
50 least 3 years as a physician assistant pursuant to s. 458.347 or

51 s. 459.022.

52 2. Is a graduate of at least a 2-year doctor of medical  
53 science program accredited by an accrediting agency recognized  
54 by the United States Department of Education.

55 3. Has successfully completed a certification examination  
56 for doctors of medical science, as such examination is  
57 determined by the board.

58 4. Provides satisfactory evidence, as determined by the  
59 board, of an affiliation or association with a hospital, group  
60 practice, or a list of physicians with medical expertise outside  
61 of the expertise of the applicant.

62 (b)1. The department shall provide for the biennial  
63 renewal of licenses for a person licensed as a doctor of medical  
64 science pursuant to the provisions of s. 458.319 and 459.08.  
65 Each renewal application must also include:

66 a. Evidence, on file with the board at the time of license  
67 renewal, of affiliation or association with a hospital, group  
68 practice, or a list of physicians with medical expertise outside  
69 of the expertise of the licensee and with whom the licensee may  
70 consult as needed.

71 b. A renewal fee as set by the boards.

72 c. Satisfactory evidence of the successful completion of  
73 100 hours of continuing medical education.

74 2. Failure to renew a license within 60 days after renewal  
75 is due shall cause such license to be automatically revoked

76 | without further notice or hearing. A person whose license is  
 77 | revoked under this subparagraph may apply in writing to the  
 78 | department for the reinstatement of such license. The department  
 79 | may reinstate such license upon payment of all past due renewal  
 80 | fees and a late fee to be set by the committee.

81 | 3. The department may not accept a renewal application  
 82 | after the last day of the month following the license expiration  
 83 | date.

84 | (3) RULES.—The department and boards may adopt rules  
 85 | pursuant to ss. 120.536(1) and 120.54 to implement the  
 86 | provisions of this section, including, but not limited to, rules  
 87 | relating to scope of practice, license application, license  
 88 | renewal, continuing education.

89 | Section 2. Section 459.0221, Florida Statutes, is created  
 90 | to read:

91 | 459.0221 Doctor of Medical Science.—

92 | (1) DEFINITIONS.—As used in this part, the term:

93 | (a) "Boards" means the Board of Medicine and Board of  
 94 | Osteopathic Medicine.

95 | (b) "Doctor of medical science" means an individual who is  
 96 | licensed under this section to lawfully render diagnostic and  
 97 | therapeutic physician services in primary health care pursuant  
 98 | to the provisions of chapters 458 and 459.

99 | (c) "Doctor of medical science program" means a doctoral  
 100 | medical program that provides to physician assistants training

101 in advanced clinical medicine and preparation in clinical  
102 practice equivalent to the clinical practice of a primary health  
103 care physician.

104 (d) "Physician" means a person licensed to practice  
105 medicine pursuant to chapter 458 or osteopathic medicine  
106 pursuant to chapter 459.

107 (e) "Physician assistant" has the same meaning as in ss.  
108 458.347(2)(e) and 459.022(2)(e).

109 (f) "Primary health care" means health care services that  
110 are commonly provided to patients without referral from another  
111 practitioner.

112 (2) LICENSURE; REQUIREMENTS; RENEWAL.—

113 (a) Any person desiring to be licensed as a doctor of  
114 medical science must apply to the department for licensure. The  
115 department shall issue a license to any person certified by the  
116 board who:

117 1. Is licensed and has served in clinical practice for at  
118 least 3 years as a physician assistant pursuant to s. 458.347 or  
119 s. 459.022.

120 2. Is a graduate of at least a 2-year doctor of medical  
121 science program accredited by an accrediting agency recognized  
122 by the United States Department of Education.

123 3. Has successfully completed a certification examination  
124 for doctors of medical science, as such examination is  
125 determined by the board.

126 4. Provides satisfactory evidence, as determined by the  
 127 board, of an affiliation or association with a hospital, group  
 128 practice, or a list of physicians with medical expertise outside  
 129 of the expertise of the applicant.

130 (b)1. The department shall provide for the biennial  
 131 renewal of licenses for a person licensed as a doctor of medical  
 132 science pursuant to the provisions of ss. 458.319 and 459.08.  
 133 Each renewal application must also include:

134 a. Evidence, on file with the board at the time of license  
 135 renewal, of affiliation or association with a hospital, group  
 136 practice, or a list of physicians with medical expertise outside  
 137 of the expertise of the licensee and with whom the licensee may  
 138 consult as needed.

139 b. A renewal fee as set by the boards.

140 c. Satisfactory evidence of the successful completion of  
 141 100 hours of continuing medical education.

142 2. Failure to renew a license within 60 days after renewal  
 143 is due shall cause such license to be automatically revoked  
 144 without further notice or hearing. A person whose license is  
 145 revoked under this subparagraph may apply in writing to the  
 146 department for the reinstatement of such license. The department  
 147 may reinstate such license upon payment of all past due renewal  
 148 fees and a late fee to be set by the committee.

149 3. The department may not accept a renewal application  
 150 after the last day of the month following the license expiration

151 date.

152 (3) RULES.—The department and boards may adopt rules  
153 pursuant to ss. 120.536(1) and 120.54 to implement the  
154 provisions of this section, including, but not limited to, rules  
155 relating to scope of practice, license application, license  
156 renewal, continuing education.

157 Section 3. Paragraph (h) of subsection (1) and paragraph  
158 (a) of subsection (2) of section 381.986, Florida Statutes, are  
159 amended to read:

160 381.986 Compassionate use of low-THC and medical  
161 cannabis.—

162 (1) DEFINITIONS.—As used in this section, the term:

163 (h) "Qualified patient" means a resident of this state who  
164 has been added to the compassionate use registry by a physician  
165 licensed under chapter 458 or chapter 459 or a doctor of medical  
166 science licensed under chapter 458 or 459 to receive low-THC  
167 cannabis or medical cannabis from a dispensing organization.

168 (2) PHYSICIAN ORDERING.—A physician is authorized to order  
169 low-THC cannabis to treat a qualified patient suffering from  
170 cancer or a physical medical condition that chronically produces  
171 symptoms of seizures or severe and persistent muscle spasms;  
172 order low-THC cannabis to alleviate symptoms of such disease,  
173 disorder, or condition, if no other satisfactory alternative  
174 treatment options exist for the qualified patient; order medical  
175 cannabis to treat an eligible patient as defined in s. 499.0295;

176 or order a cannabis delivery device for the medical use of low-  
 177 THC cannabis or medical cannabis, only if the physician:

178 (a) Holds an active, unrestricted license as a physician  
 179 under chapter 458 or an osteopathic physician under chapter 459  
 180 or a doctor of medical science licensed under chapter 458 or  
 181 459;

182 Section 4. Paragraph (g) of subsection (1) and subsection  
 183 (2) of section 456.44, Florida Statutes, are amended to read:

184 456.44 Controlled substance prescribing.—

185 (1) DEFINITIONS.—As used in this section, the term:

186 (g) "Registrant" means a physician, a doctor of medical  
 187 science, a physician assistant, or an advanced registered nurse  
 188 practitioner who meets the requirements of subsection (2).

189 (2) REGISTRATION.—A physician licensed under chapter 458,  
 190 chapter 459, chapter 461, or chapter 466, a doctor of medical  
 191 science licensed under chapter 458 or 459, a physician assistant  
 192 licensed under chapter 458 or chapter 459, or an advanced  
 193 registered nurse practitioner certified under part I of chapter  
 194 464 who prescribes any controlled substance, listed in Schedule  
 195 II, Schedule III, or Schedule IV as defined in s. 893.03, for  
 196 the treatment of chronic nonmalignant pain, must:

197 (a) Designate himself or herself as a controlled substance  
 198 prescribing practitioner on his or her practitioner profile.

199 (b) Comply with the requirements of this section and  
 200 applicable board rules.

201 Section 5. For the purpose of incorporating the creation  
202 of sections 458.3471 and 459.0221, Florida Statutes by this act,  
203 subsection (4) of section 456.001, Florida Statutes, is  
204 reenacted to read:

205 456.001 Definitions.—As used in this chapter, the term:

206 (4) "Health care practitioner" means any person licensed  
207 under chapter 457; chapter 458; chapter 459; chapter 460;  
208 chapter 461; chapter 462; chapter 463; chapter 464; chapter 465;  
209 chapter 466; chapter 467; part I, part II, part III, part V,  
210 part X, part XIII, or part XIV of chapter 468; chapter 478;  
211 chapter 480; part III or part IV of chapter 483; chapter 484;  
212 chapter 486; chapter 490; or chapter 491.

213 Section 6. This act shall take effect July 1, 2017.