

By the Committee on Health Policy; and Senators Brandes and Passidomo

588-02418-17

2017496c1

1 A bill to be entitled
2 An act relating to medical faculty certification;
3 amending s. 456.013, F.S.; providing criteria for an
4 applicant of a temporary certificate for visiting
5 physicians to obtain medical privileges for
6 instructional purposes who has not been issued a
7 social security number; amending s. 458.3137, F.S.;
8 revising the circumstances under which visiting
9 physicians may be issued a temporary certificate to
10 obtain medical privileges for instructional purposes;
11 amending s. 458.3145, F.S.; revising the list of
12 schools at which certain faculty members are eligible
13 to receive a medical faculty certificate; authorizing
14 a certificateholder to practice at certain specialty-
15 licensed children's hospitals; revising provisions to
16 authorize the medical director of certain specialty-
17 licensed children's hospitals to request the provision
18 by physicians, under certain circumstances, of medical
19 care or treatment in connection with education;
20 providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Subsection (1) of section 456.013, Florida
25 Statutes, is amended to read:

26 456.013 Department; general licensing provisions.—

27 (1) (a) Any person desiring to be licensed in a profession
28 within the jurisdiction of the department shall apply to the
29 department in writing to take the licensure examination. The

588-02418-17

2017496c1

30 application shall be made on a form prepared and furnished by
31 the department. The application form must be available on the
32 World Wide Web and the department may accept electronically
33 submitted applications beginning July 1, 2001. The application
34 shall require the social security number of the applicant,
35 except as provided in paragraphs ~~paragraph~~ (b) and (c). The form
36 shall be supplemented as needed to reflect any material change
37 in any circumstance or condition stated in the application which
38 takes place between the initial filing of the application and
39 the final grant or denial of the license and which might affect
40 the decision of the department. If an application is submitted
41 electronically, the department may require supplemental
42 materials, including an original signature of the applicant and
43 verification of credentials, to be submitted in a nonelectronic
44 format. An incomplete application shall expire 1 year after
45 initial filing. In order to further the economic development
46 goals of the state, and notwithstanding any law to the contrary,
47 the department may enter into an agreement with the county tax
48 collector for the purpose of appointing the county tax collector
49 as the department's agent to accept applications for licenses
50 and applications for renewals of licenses. The agreement must
51 specify the time within which the tax collector must forward any
52 applications and accompanying application fees to the
53 department.

54 (b) If an applicant has not been issued a social security
55 number by the Federal Government at the time of application
56 because the applicant is not a citizen or resident of this
57 country, the department may process the application using a
58 unique personal identification number. If such an applicant is

588-02418-17

2017496c1

59 otherwise eligible for licensure, the board, or the department
60 when there is no board, may issue a temporary license to the
61 applicant, which shall expire 30 days after issuance unless a
62 social security number is obtained and submitted in writing to
63 the department. Upon receipt of the applicant's social security
64 number, the department shall issue a new license, which shall
65 expire at the end of the current biennium.

66 (c) Notwithstanding any other provision of law, if an
67 applicant for a temporary certificate as set forth in s.
68 458.3137 has not been issued a social security number by the
69 Federal Government at the time of application because the
70 applicant is not a citizen or resident of this country, the
71 department shall process the application using a unique personal
72 identification number. If such applicant is otherwise eligible
73 for the temporary certificate, the board, or the department when
74 there is no board, shall issue the temporary certificate without
75 requiring the applicant to provide a social security number.

76 Section 2. Subsection (1) of section 458.3137, Florida
77 Statutes, is amended to read:

78 458.3137 Temporary certificate for visiting physicians to
79 obtain medical privileges for instructional purposes in
80 conjunction with certain plastic surgery or other medical or
81 surgical training programs and educational symposiums.—

82 (1) A physician who has been invited by:

83 (a) A plastic surgery or other medical or surgical training
84 program affiliated with a medical school in this state which is
85 accredited by the Accreditation Council for Graduate Medical
86 Education or the American Osteopathic Association or ~~which is~~
87 ~~part of~~ a teaching hospital as defined in s. 408.07; or

588-02418-17

2017496c1

88 (b) An educational symposium cosponsored by the American
89 Society of Plastic Surgeons, the Plastic Surgery Educational
90 Foundation, the American Society for Aesthetic Plastic Surgery,
91 or any other medical or surgical society in conjunction with a
92 medical school or teaching hospital as defined in s. 408.07,
93

94 may be issued a temporary certificate for limited
95 privileges solely for purposes of providing educational training
96 in plastic surgery or other medical or surgical procedures, as
97 appropriate, in accordance with the restrictions set forth in
98 this section.

99 Section 3. Section 458.3145, Florida Statutes, is amended
100 to read:

101 458.3145 Medical faculty certificate.—

102 (1) A medical faculty certificate may be issued without
103 examination to an individual who:

104 (a) Is a graduate of an accredited medical school or its
105 equivalent, or is a graduate of a foreign medical school listed
106 with the World Health Organization;

107 (b) Holds a valid, current license to practice medicine in
108 another jurisdiction;

109 (c) Has completed the application form and remitted a
110 nonrefundable application fee not to exceed \$500;

111 (d) Has completed an approved residency or fellowship of at
112 least 1 year or has received training which has been determined
113 by the board to be equivalent to the 1-year residency
114 requirement;

115 (e) Is at least 21 years of age;

116 (f) Is of good moral character;

588-02418-17

2017496c1

117 (g) Has not committed any act in this or any other
118 jurisdiction which would constitute the basis for disciplining a
119 physician under s. 458.331;

120 (h) For any applicant who has graduated from medical school
121 after October 1, 1992, has completed, before entering medical
122 school, the equivalent of 2 academic years of preprofessional,
123 postsecondary education, as determined by rule of the board,
124 which must include, at a minimum, courses in such fields as
125 anatomy, biology, and chemistry; and

126 (i) Has been offered and has accepted a full-time faculty
127 appointment to teach in a program of medicine at:

- 128 1. The University of Florida;
- 129 2. The University of Miami;
- 130 3. The University of South Florida;
- 131 4. The Florida State University;
- 132 5. The Florida International University;
- 133 6. The University of Central Florida;
- 134 7. The Mayo Clinic College of Medicine in Jacksonville,
135 Florida; ~~or~~
- 136 8. The Florida Atlantic University; or
- 137 9. The Johns Hopkins All Children's Hospital in St.
138 Petersburg, Florida.

139 (2) The certificate authorizes the holder to practice only
140 in conjunction with his or her faculty position at an accredited
141 medical school and its affiliated clinical facilities or
142 teaching hospitals that are registered with the Board of
143 Medicine as sites at which holders of medical faculty
144 certificates will be practicing, or a specialty-licensed
145 children's hospital licensed under chapter 395 that is

588-02418-17

2017496c1

146 affiliated with an accredited medical school and its affiliated
147 clinics. Such certificate automatically expires when the
148 holder's relationship with the medical school is terminated or
149 after a period of 24 months, whichever occurs sooner, and is
150 renewable every 2 years by a holder who applies to the board on
151 a form prescribed by the board and provides certification by the
152 dean of the medical school that the holder is a distinguished
153 medical scholar and an outstanding practicing physician.

154 (3) The holder of a medical faculty certificate issued
155 under this section has all rights and responsibilities
156 prescribed by law for the holder of a license issued under s.
157 458.311, except as specifically provided otherwise by law. Such
158 responsibilities include compliance with continuing medical
159 education requirements as set forth by rule of the board. A
160 hospital or ambulatory surgical center licensed under chapter
161 395, health maintenance organization certified under chapter
162 641, insurer as defined in s. 624.03, multiple-employer welfare
163 arrangement as defined in s. 624.437, or any other entity in
164 this state, in considering and acting upon an application for
165 staff membership, clinical privileges, or other credentials as a
166 health care provider, may not deny the application of an
167 otherwise qualified physician for such staff membership,
168 clinical privileges, or other credentials solely because the
169 applicant is a holder of a medical faculty certificate under
170 this section.

171 (4) In any year, the maximum number of extended medical
172 faculty certificateholders as provided in subsection (2) may not
173 exceed 30 persons at each institution named in subparagraphs
174 (1) (i) 1.-6., 8., and 9. ~~and 8.~~ and at the facility named in s.

588-02418-17

2017496c1

175 1004.43 and may not exceed 10 persons at the institution named
176 in subparagraph (1)(i)7.

177 (5) Annual review of all such certificate recipients will
178 be made by the deans of the accredited 4-year medical schools
179 provided in paragraph (1)(i) within this state and reported to
180 the Board of Medicine.

181 (6) Notwithstanding subsection (1), any physician, when
182 providing medical care or treatment in connection with the
183 education of students, residents, or faculty at the request of
184 the dean of an accredited medical school within this state or at
185 the request of the medical director of a statutory teaching
186 hospital as defined in s. 408.07 or a specialty-licensed
187 children's hospital licensed under chapter 395 which is
188 affiliated with an accredited medical school and its affiliated
189 clinics, may do so upon registration with the board and
190 demonstration of financial responsibility pursuant to s.
191 458.320(1) or (2) unless such physician is exempt under s.
192 458.320(5)(a). The performance of such medical care or treatment
193 must be limited to a single period of time, which may not exceed
194 180 consecutive days, and must be rendered within a facility
195 registered under subsection (2) or within a statutory teaching
196 hospital as defined in s. 408.07. A registration fee not to
197 exceed \$300, as set by the board, is required of each physician
198 registered under this subsection. However, no more than three
199 physicians per year per institution may be registered under this
200 subsection, and an exemption under this subsection may not be
201 granted to a physician more than once in any given 5-year
202 period.

203 Section 4. This act shall take effect July 1, 2017.