

**By** the Committees on Education; and Health Policy; and Senators Brandes and Passidomo

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1                                   A bill to be entitled  
2       An act relating to medical faculty and medical  
3       assistant certification; amending s. 456.013, F.S.;  
4       requiring the Department of Health to process certain  
5       applications for a temporary certificate using a  
6       personal identification number in lieu of a social  
7       security number under specified circumstances;  
8       amending s. 458.3137, F.S.; revising the circumstances  
9       under which a visiting physician may be issued a  
10      temporary certificate to obtain limited medical  
11      privileges for instructional purposes; amending s.  
12      458.3145, F.S.; revising the list of institutions at  
13      which certain faculty members are eligible to receive  
14      a medical faculty certificate; authorizing a  
15      certificateholder to practice at certain specialty-  
16      licensed children's hospitals; revising provisions to  
17      authorize the medical director of certain specialty-  
18      licensed children's hospitals to request the provision  
19      of medical care and treatment in connection with  
20      education; amending s. 458.3485, F.S.; providing a  
21      requirement to earn a certified medical assistant  
22      credential; amending s. 483.291, F.S.; revising  
23      qualifications for employment as a medical assistant  
24      in a multiphasic health testing center; providing an  
25      effective date.

26  
27   Be It Enacted by the Legislature of the State of Florida:

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29       Section 1. Subsection (1) of section 456.013, Florida

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30 Statutes, is amended to read:

31 456.013 Department; general licensing provisions.—

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

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59 (b) If an applicant has not been issued a social security  
60 number by the Federal Government at the time of application  
61 because the applicant is not a citizen or resident of this  
62 country, the department may process the application using a  
63 unique personal identification number. If such an applicant is  
64 otherwise eligible for licensure, the board, or the department  
65 when there is no board, may issue a temporary license to the  
66 applicant, which shall expire 30 days after issuance unless a  
67 social security number is obtained and submitted in writing to  
68 the department. Upon receipt of the applicant's social security  
69 number, the department shall issue a new license, which shall  
70 expire at the end of the current biennium.

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

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

83 458.3137 Temporary certificate for visiting physicians to  
84 obtain medical privileges for instructional purposes in  
85 conjunction with certain plastic surgery or other medical or  
86 surgical training programs and educational symposiums.—

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

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

93 (b) A teaching hospital as defined in s. 408.07; or

94 (c) ~~(b)~~ An educational symposium cosponsored by the American  
95 Society of Plastic Surgeons, the Plastic Surgery Educational  
96 Foundation, the American Society for Aesthetic Plastic Surgery,  
97 or any other medical or surgical society in conjunction with a  
98 medical school or teaching hospital as defined in s. 408.07, may  
99 be issued a temporary certificate for limited privileges solely  
100 for purposes of providing educational training in plastic  
101 surgery or other medical or surgical procedures, as appropriate,  
102 in accordance with the restrictions set forth in this section.

103 Section 3. Section 458.3145, Florida Statutes, is amended  
104 to read:

105 458.3145 Medical faculty certificate.—

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

108 (a) Is a graduate of an accredited medical school or its  
109 equivalent, or is a graduate of a foreign medical school listed  
110 with the World Health Organization;

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

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

115 (d) Has completed an approved residency or fellowship of at  
116 least 1 year or has received training which has been determined

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117 by the board to be equivalent to the 1-year residency  
118 requirement;

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

120 (f) Is of good moral character;

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

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

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

132 1. The University of Florida;

133 2. The University of Miami;

134 3. The University of South Florida;

135 4. The Florida State University;

136 5. The Florida International University;

137 6. The University of Central Florida;

138 7. The Mayo Clinic College of Medicine and Science in  
139 Jacksonville, Florida; ~~or~~

140 8. The Florida Atlantic University; or

141 9. The Johns Hopkins All Children's Hospital in St.  
142 Petersburg, Florida.

143 (2) The certificate authorizes the holder to practice only  
144 in conjunction with his or her faculty position at an accredited  
145 medical school and its affiliated clinical facilities or

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146 teaching hospitals that are registered with the Board of  
147 Medicine as sites at which holders of medical faculty  
148 certificates will be practicing, or a specialty-licensed  
149 children's hospital licensed under chapter 395 that is  
150 affiliated with an accredited medical school and its affiliated  
151 clinics. Such certificate automatically expires when the  
152 holder's relationship with the medical school is terminated or  
153 after a period of 24 months, whichever occurs sooner, and is  
154 renewable every 2 years by a holder who applies to the board on  
155 a form prescribed by the board and provides certification by the  
156 dean of the medical school that the holder is a distinguished  
157 medical scholar and an outstanding practicing physician.

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

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175 (4) In any year, the maximum number of extended medical  
176 faculty certificateholders as provided in subsection (2) may not  
177 exceed 30 persons at each institution named in subparagraphs  
178 (1) (i) 1.-6., and 8., and 9. and at the facility named in s.  
179 1004.43 and may not exceed 10 persons at the institution named  
180 in subparagraph (1) (i) 7.

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

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

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204 subsection, and an exemption under this subsection may not be  
205 granted to a physician more than once in any given 5-year  
206 period.

207 Section 4. Subsection (3) is added to section 458.3485,  
208 Florida Statutes, to read:

209 458.3485 Medical assistant.—

210 (3) CERTIFICATION.—In order to earn a credential as a  
211 certified medical assistant, a medical assistant shall obtain  
212 certification from a certification program accredited by the  
213 National Commission for Certifying Agencies.

214 Section 5. Paragraph (b) of subsection (7) of section  
215 483.291, Florida Statutes, is amended to read:

216 483.291 Powers and duties of the agency; rules.—The agency  
217 shall adopt rules to implement this part and part II of chapter  
218 408, which rules must include the following:

219 (7) PERSONNEL.—The agency shall prescribe minimum  
220 qualifications for center personnel. A center may employ as a  
221 medical assistant a person who has at least one of the following  
222 qualifications:

223 (b) Certification and registration from a certification  
224 program accredited by the National Commission for Certifying  
225 Agencies and approved by the agency ~~by the American Medical~~  
226 ~~Technologists Association or other similar professional~~  
227 ~~association approved by the agency.~~

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