

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Health Quality
2 Subcommittee

3 Representative Grant, M. offered the following:

4

5 **Amendment**

6 Remove lines 121-182 and insert:

7 (b) (a) Meet the requirements of s. 458.311(1) (b), (c),
8 (d), and (g). A Canadian applicant must also provide the board
9 with a printed or electronic copy of his or her Canadian
10 criminal history records check;

11 (c) (b) Show evidence of the active licensed practice of
12 medicine in another jurisdiction for at least 2 years of the
13 immediately preceding 4 years, or completion of board-approved
14 postgraduate training within the year preceding the filing of an
15 application; and

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16 (d) (c) Enter into a contract to practice for a period of
17 up to 36 24 months solely in the employ of the state, or a
18 federally funded community health center, or a migrant health
19 center; a free clinic that delivers only medical diagnostic
20 services or nonsurgical medical treatment free of charge to all
21 low-income residents; or a health care provider in a health
22 professional shortage area or medically underserved area,
23 designated by the United States Department of Health and Human
24 Services, at the current salary level for that position. The
25 board may of Medicine shall designate other areas of critical
26 need in the state where these restricted licensees may practice.

27 (3) Before the end of the contracted 24-month practice
28 period, the physician must take and successfully complete the
29 licensure examination under s. 458.311 to become fully licensed
30 in this state.

31 Section 3. Section 458.3105, Florida Statutes, is created
32 to read:

33 458.3105 Registration of volunteer retired physicians.—

34 (1) A physician may register under this section to
35 practice medicine as a volunteer retired physician if the
36 physician:

37 (a) Submits an application to the board on a form
38 developed by the department within 2 years after the date on
39 which the physician's license changed from active status to
40 retired status;

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41 (b) Provides proof to the department that the physician
42 actively practiced medicine for at least 3 of the 5 years
43 immediately preceding the date on which his or her license
44 changed from active status to retired status;

45 (c) Has held an active license to practice medicine and
46 maintained such license in good standing in this state or in at
47 least one other jurisdiction of the United States or Canada for
48 at least 20 years;

49 (d) Contracts with a health care provider to provide free,
50 volunteer health care services to indigent persons or medically
51 underserved populations in health professional shortage areas or
52 medically underserved areas designated by the United States
53 Department of Health and Human Services;

54 (e) Works under the supervision of a nonretired physician
55 who holds an active unencumbered license; and

56 (f) Only provides medical services of the type and within
57 the specialty performed by the physician prior to retirement,
58 and does not perform surgery or prescribe a controlled substance
59 as defined in s. 893.02(4).

60 (2) The registrant shall apply biennially to the board for
61 renewal of his or her registration by demonstrating to the board
62 compliance with this section.

63 (3) The department shall waive the application fee,
64 licensure fee, and unlicensed activity fee for qualifying
65 applicants under this section.

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66 (4) The board may deny, revoke, or impose restrictions or
67 conditions on a registration for any violation of this act or
68 chapter 456, or the rules adopted under this act or chapter 456.

69 (5) The board may deny or revoke registration for
70 noncompliance with this section.

71 Section 4. Paragraph (h) of subsection (1) of section
72 458.311, Florida Statutes, is amended to read:

73 458.311 Licensure by examination; requirements; fees.—

74 (1) Any person desiring to be licensed as a physician, who
75 does not hold a valid license in any state, shall apply to the
76 department on forms furnished by the department. The department
77 shall license each applicant who the board certifies:

78 (h) Has obtained a passing score, as established by rule
79 of the board, on the licensure examination of the United States
80 Medical Licensing Examination (USMLE); or a combination of the
81 United States Medical Licensing Examination (USMLE), the
82 examination of the Federation of State Medical Boards of the
83 United States, Inc. (FLEX), or the examination of the National
84 Board of Medical Examiners up to the year 2000; or for the
85 purpose of examination of any applicant who was licensed on the
86 basis of a state board examination and who is currently licensed
87 in at least one other jurisdiction of the United States ~~or~~
88 ~~Canada~~, and who has practiced pursuant to such licensure for a
89 period of at least 10 years or for the purpose of examination of
90 any applicant who holds an active unencumbered license to

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91 practice medicine in Canada and who has practiced pursuant to
92 such licensure of at least 10 years, use of the Special Purpose
93 Examination of the Federation of State Medical Boards of the
94 United States (SPEX) upon receipt of a passing score as
95 established by rule of the board. However, for the purpose of
96 examination of any applicant who was licensed on the basis of a
97 state board examination prior to 1974, who is currently licensed
98 in at least three other jurisdictions of the United States or
99 Canada, and who has practiced pursuant to such licensure for a
100 period of at least 20 years, this paragraph does not apply.

101 Section 5. Subsection (1) of section 458.319, Florida
102 Statutes, is amended to read:

103 458.319 Renewal of license.—

104 (1) The department shall renew a license upon receipt of
105 the renewal application, evidence that the applicant has
106 actively practiced medicine or has been on the active teaching
107 faculty of an accredited medical school for at least 2 years of
108 the immediately preceding 4 years, and a fee not to exceed \$500;
109 provided, however, that if the licensee is either a resident
110 physician, assistant resident physician, fellow, house
111 physician, or intern in an approved postgraduate training
112 program, as defined by the board by rule, the fee shall not
113 exceed \$100 per annum. If the licensee demonstrates to the
114 department in a manner set by department rule that he or she has
115 provided at least 160 hours of pro bono medical services to

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116 indigent persons or medically underserved populations within the
117 biennial renewal period, the department shall waive the renewal
118 fee. If the licensee has not actively practiced medicine for at
119 least 2 years of the immediately preceding 4 years, the board
120 shall require that the licensee successfully complete a board-
121 approved clinical competency examination prior to renewal of the
122 license. "Actively practiced medicine" means that practice of
123 medicine by physicians, including those employed by any
124 governmental entity in community or public health, as defined by
125 this chapter, including physicians practicing administrative
126 medicine. An applicant for a renewed license must also submit
127 the information required under s. 456.039 to the department on a
128 form and under procedures specified by the department, along
129 with payment in an amount equal to the costs incurred by the
130 Department of Health for the statewide criminal background check
131 of the applicant. The applicant must submit a set of
132 fingerprints to the Department of Health on a form and under
133 procedures specified by the department, along with payment in an
134 amount equal to the costs incurred by the department for a
135 national criminal background check of the applicant for the
136 initial renewal of his or her license after January 1, 2000. If
137 the applicant fails to submit either the information required
138 under s. 456.039 or a set of fingerprints to the department as
139 required by this section, the department shall issue a notice of
140 noncompliance, and the applicant will be given 30 additional

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141 days to comply. If the applicant fails to comply within 30 days
142 after the notice of noncompliance is issued, the department or
143 board, as appropriate, may issue a citation to the applicant and
144 may fine the applicant up to \$50 for each day that the applicant
145 is not in compliance with the requirements of s. 456.039. The
146 citation must clearly state that the applicant may choose, in
147 lieu of accepting the citation, to follow the procedure under s.
148 456.073. If the applicant disputes the matter in the citation,
149 the procedures set forth in s. 456.073 must be followed.
150 However, if the applicant does not dispute the matter in the
151 citation with the department within 30 days after the citation
152 is served, the citation becomes a final order and constitutes
153 discipline. Service of a citation may be made by personal
154 service or certified mail, restricted delivery, to the subject
155 at the applicant's last known address. If an applicant has
156 submitted fingerprints to the department for a national criminal
157 history check upon initial licensure and is renewing his or her
158 license for the first time, then the applicant need only submit
159 the information and fee required for a statewide criminal
160 history check

161 Section 6. Section 459.00751, Florida Statutes, is created
162 to read:

163 459.00751 Restricted licenses.-

164 (1) It is the intent of the Legislature to provide medical
165 services to all residents of this state at an affordable cost.

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166 (2) The board may annually issue restricted licenses
167 authorizing the practice of osteopathic medicine in this state
168 to not more than 300 persons and to an unlimited number of
169 osteopathic physicians who hold active unencumbered licenses to
170 practice medicine in Canada if such applicants:

171 (a) Submit to the department a completed application form
172 and a nonrefundable application fee not to exceed \$50;

173 (b) Meet the requirements of s. 459.0055(1)(b), (c), (d),
174 (e), (f), (g), and (j). A Canadian applicant must also provide
175 the board with a printed or electronic copy of his or her
176 Canadian criminal history records check;

177 (c) Provide proof to the department that the osteopathic
178 physician has held an active license to practice osteopathic
179 medicine and maintained such license in good standing in this
180 state or in at least one other jurisdiction of the United States
181 or Canada for at least 2 of the immediately preceding 4 years,
182 or completed board-approved postgraduate training within the
183 year immediately preceding the filing of an application; and

184 (d) Enter into a contract to practice osteopathic medicine
185 for a period of up to 36 months in the employ of the state, a
186 federally funded community health center, or a migrant health
187 center; a free clinic that delivers only medical diagnostic
188 services or nonsurgical medical treatment free of charge to all
189 low-income residents; or a health care provider in a health
190 professional shortage area or medically underserved area

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191 designated by the United States Department of Health and Human
192 Services. The board may designate other areas of critical need
193 in the state where these restricted licensees may practice.

194 (3) Before the end of the contracted practice period, the
195 osteopathic physician must take and successfully complete the
196 licensure examination under s. 459.0055 to become fully licensed
197 in this state.

198 (4) If the restricted licensee breaches the terms of the
199 employment contract, he or she may not be licensed as an
200 osteopathic physician in this state under any licensing
201 provisions.

202 Section 7. Section 459.00752, Florida Statutes, is created
203 to read:

204 459.00752 Registration of volunteer retired osteopathic
205 physicians.-

206 (1) An osteopathic physician may register under this
207 section to practice medicine as a volunteer retired osteopathic
208 physician if the osteopathic physician:

209 (a) Submits an application to the board on a form
210 developed by the department no earlier than 6 months before the
211 date on which the osteopathic physician's license permanently
212 expires and no later than 2 years after such expiration;

213 (b) Has held an active license to practice osteopathic
214 medicine and maintained such license in good standing in this

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215 state or in at least one other jurisdiction of the United States
216 or Canada for at least 20 years;

217 (c) Contracts with a health care provider to provide free,
218 volunteer health care services to indigent persons or medically
219 underserved populations in health professional shortage areas or
220 medically underserved areas designated by the United States
221 Department of Health and Human Services;

222 (d) Works under the supervision of a nonretired
223 osteopathic physician who holds an active unencumbered license;
224 and

225 (e) Only provides medical services of the type and within
226 the specialty performed by the osteopathic physician prior to
227 retirement, and does not perform surgery or prescribe controlled
228 substances as defined in s. 893.02(4).

229 (2) The registrant shall apply biennially to the board for
230 renewal of his or her registration by demonstrating to the board
231 compliance with this section.

232 (3) The department shall waive the application fee,
233 licensure fee, and unlicensed activity fee for qualifying
234 applicants under this section.

235 (4) The board may deny, revoke, or impose restrictions or
236 conditions on a registration for any violation of this act or
237 chapter 456, or the rules adopted under this act or chapter 456.

238 (5) The board may deny or revoke registration for
239 noncompliance with this section.