

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

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1 Committee/Subcommittee hearing bill: Health Quality  
 2 Subcommittee

3 Representative Grant, M. offered the following:

4

5 **Amendment**

6 Remove lines 123-354 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 fingerprint-  
 10 based, national Canadian criminal history records check,  
 11 conducted within 6 months of the date of application;

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

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

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

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

34        458.3105 Registration of volunteer retired physicians.-

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

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

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

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

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

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

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

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

64 (3) The department shall waive all application, licensure,  
65 unlicensed activity, and renewal fees for qualifying applicants  
66 under this section.

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

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

73           Section 4. Paragraph (h) of subsection (1) of section  
74 458.311, Florida Statutes, is amended to read:

75           458.311 Licensure by examination; requirements; fees.—

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

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

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

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

106 458.319 Renewal of license.—

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

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117 department in a manner set by department rule that he or she has  
118 provided at least 160 hours of pro bono medical services to  
119 indigent persons or medically underserved populations within the  
120 biennial renewal period, the department shall waive the renewal  
121 fee. If the licensee has not actively practiced medicine for at  
122 least 2 years of the immediately preceding 4 years, the board  
123 shall require that the licensee successfully complete a board-  
124 approved clinical competency examination before ~~prior to~~ renewal  
125 of the license. "Actively practiced medicine" means that  
126 practice of medicine by physicians, including those employed by  
127 any governmental entity in community or public health, as  
128 defined by this chapter, including physicians practicing  
129 administrative medicine. An applicant for a renewed license must  
130 also submit the information required under s. 456.039 to the  
131 department on a form and under procedures specified by the  
132 department, along with payment in an amount equal to the costs  
133 incurred by the Department of Health for the statewide criminal  
134 background check of the applicant. The applicant must submit a  
135 set of fingerprints to the Department of Health on a form and  
136 under procedures specified by the department, along with payment  
137 in an amount equal to the costs incurred by the department for a  
138 national criminal background check of the applicant for the  
139 initial renewal of his or her license ~~after January 1, 2000~~. If  
140 the applicant fails to submit either the information required  
141 under s. 456.039 or a set of fingerprints to the department as

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

164 Section 6. Section 459.00751, Florida Statutes, is created  
165 to read:

166 459.00751 Restricted licenses.-

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

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

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

176 (b) Meet the requirements of s. 459.0055(1)(b), (c), (d),  
177 (e), (f), (g), and (j). A Canadian applicant must also provide  
178 the board with a printed or electronic copy of his or her  
179 fingerprint-based, national Canadian criminal history records  
180 check, conducted within 6 months of the date of application;

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

188 (d) Enter into a contract to practice osteopathic medicine  
189 for a period of up to 36 months in the employ of the state, a  
190 federally funded community health center, or a migrant health  
191 center; a free clinic that delivers only medical diagnostic



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192 services or nonsurgical medical treatment free of charge to all  
193 low-income residents; or a health care provider in a health  
194 professional shortage area or medically underserved area  
195 designated by the United States Department of Health and Human  
196 Services. The board may designate other areas of critical need  
197 in the state where these restricted licensees may practice.

198 (3) Before the end of the contracted practice period, the  
199 osteopathic physician must take and successfully complete the  
200 licensure examination under s. 459.0055 to become fully licensed  
201 in this state.

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

206 Section 7. Section 459.00752, Florida Statutes, is created  
207 to read:

208 459.00752 Registration of volunteer retired osteopathic  
209 physicians.-

210 (1) An osteopathic physician may register under this  
211 section to practice medicine as a volunteer retired osteopathic  
212 physician if the osteopathic physician:

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

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217 (b) Has held an active license to practice osteopathic  
218 medicine and maintained such license in good standing in this  
219 state or in at least one other jurisdiction of the United States  
220 or Canada for at least 20 years;

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

226 (d) Works under the supervision of a nonretired  
227 osteopathic physician who holds an active unencumbered license;  
228 and

229 (e) Only provides medical services of the type and within  
230 the specialty performed by the osteopathic physician before  
231 retirement and does not perform surgery or prescribe controlled  
232 substances as defined in s. 893.02(4).

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

236 (3) The department shall waive all application, licensure,  
237 unlicensed activity, and renewal fees for qualifying applicants  
238 under this section.

239 (4) The board may deny, revoke, or impose restrictions or  
240 conditions on a registration for any violation of this chapter

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241 | or chapter 456 or the rules adopted under this chapter or  
242 | chapter 456.