

1 A bill to be entitled
 2 An act relating to board-certified medical
 3 specialists; amending s. 458.331, F.S.; conforming a
 4 provision; repealing s. 458.3312, F.S., relating to
 5 board-certified specialists; amending s. 458.348,
 6 F.S.; conforming a provision; amending s. 766.106,
 7 F.S.; conforming a cross-reference; providing an
 8 effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Paragraph (11) of subsection (1) of section
 13 458.331, Florida Statutes, is amended to read:

14 458.331 Grounds for disciplinary action; action by the
 15 board and department.—

16 (1) The following acts constitute grounds for denial of a
 17 license or disciplinary action, as specified in s. 456.072(2):

18 ~~(11) Advertising or holding oneself out as a board-~~
 19 ~~certified specialist, if not qualified under s. 458.3312, in~~
 20 ~~violation of this chapter.~~

21 Section 2. Section 458.3312, Florida Statutes, is
 22 repealed.

23 Section 3. Paragraph (c) of subsection (3) of section
 24 458.348, Florida Statutes, is amended to read:

25 458.348 Formal supervisory relationships, standing orders,

26 | and established protocols; notice; standards.—

27 | (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.—

28 | A physician who supervises an advanced registered nurse
 29 | practitioner or physician assistant at a medical office other
 30 | than the physician's primary practice location, where the
 31 | advanced registered nurse practitioner or physician assistant is
 32 | not under the onsite supervision of a supervising physician,
 33 | must comply with the standards set forth in this subsection. For
 34 | the purpose of this subsection, a physician's "primary practice
 35 | location" means the address reflected on the physician's profile
 36 | published pursuant to s. 456.041.

37 | (c) A physician who supervises an advanced registered
 38 | nurse practitioner or physician assistant at a medical office
 39 | other than the physician's primary practice location, where the
 40 | advanced registered nurse practitioner or physician assistant is
 41 | not under the onsite supervision of a supervising physician and
 42 | the services offered at the office are primarily dermatologic or
 43 | skin care services, which include aesthetic skin care services
 44 | other than plastic surgery, must comply with the standards
 45 | listed in subparagraphs 1.-4. Notwithstanding s.
 46 | 458.347(4)(e)6., a physician supervising a physician assistant
 47 | pursuant to this paragraph may not be required to review and
 48 | cosign charts or medical records prepared by such physician
 49 | assistant.

50 | 1. The physician shall submit to the board the addresses

51 of all offices where he or she is supervising an advanced
52 registered nurse practitioner or a physician's assistant which
53 are not the physician's primary practice location.

54 ~~2. The physician must be board certified or board eligible~~
55 ~~in dermatology or plastic surgery as recognized by the board~~
56 ~~pursuant to s. 458.3312.~~

57 2.3. All such offices that are not the physician's primary
58 place of practice must be within 25 miles of the physician's
59 primary place of practice or in a county that is contiguous to
60 the county of the physician's primary place of practice.
61 However, the distance between any of the offices may not exceed
62 75 miles.

63 3.4. The physician may supervise only one office other
64 than the physician's primary place of practice except that until
65 July 1, 2011, the physician may supervise up to two medical
66 offices other than the physician's primary place of practice if
67 the addresses of the offices are submitted to the board before
68 July 1, 2006. Effective July 1, 2011, the physician may
69 supervise only one office other than the physician's primary
70 place of practice, regardless of when the addresses of the
71 offices were submitted to the board.

72 Section 4. Subsection (5) of section 766.106, Florida
73 Statutes, is amended to read:

74 766.106 Notice before filing action for medical
75 negligence; presuit screening period; offers for admission of

76 | liability and for arbitration; informal discovery; review.—
77 | (5) DISCOVERY AND ADMISSIBILITY.—A statement, discussion,
78 | written document, report, or other work product generated by the
79 | presuit screening process is not discoverable or admissible in
80 | any civil action for any purpose by the opposing party. All
81 | participants, including, but not limited to, physicians,
82 | investigators, witnesses, and employees or associates of the
83 | defendant, are immune from civil liability arising from
84 | participation in the presuit screening process. This subsection
85 | does not prevent a physician licensed under chapter 458 or
86 | chapter 459 or a dentist licensed under chapter 466 who submits
87 | a verified written expert medical opinion from being subject to
88 | denial of a license or disciplinary action under s.
89 | 458.331(1)(nn) ~~458.331(1)(oo)~~, s. 459.015(1)(qq), or s.
90 | 466.028(1)(ll).
91 | Section 5. This act shall take effect July 1, 2018.