

1                                   A bill to be entitled  
 2           An act relating to health care certification; creating  
 3           ss. 458.3113 and 459.0056, F.S.; providing  
 4           definitions; providing legislative intent; prohibiting  
 5           the Boards of Medicine and Osteopathic Medicine,  
 6           respectively, and the Department of Health, health  
 7           care facilities, and insurers from requiring certain  
 8           certifications as conditions of licensure,  
 9           reimbursement, or admitting privileges; providing  
 10          construction; providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

13  
 14           Section 1. Section 458.3113, Florida Statutes, is created  
 15 to read:

16           458.3113 Conditions of licensure, reimbursement, or  
 17 admitting privileges.-

18           (1) For purposes of this section, the term:

19           (a) "Maintenance of certification" means a periodic  
 20 testing regimen, proprietary self-assessment requirement, peer  
 21 evaluation, or other requirement imposed by the maintenance of  
 22 certification program of the American Board of Medical  
 23 Specialties and its member boards, or by any recognizing agency  
 24 approved by the board pursuant to rule for any board-certified  
 25 specialty or subspecialty.

26        (b) "Recertification" means a subsequent recognition or  
27 certification of educational or scholarly achievement beyond  
28 initial board certification imposed by the maintenance of  
29 certification program of the American Board of Medical  
30 Specialties and its member boards, or by any recognizing agency  
31 approved by the board pursuant to rule for any board-certified  
32 specialty or subspecialty.

33        (2) It is the intent of the Legislature to further improve  
34 the efficiency of the health care market and eliminate  
35 unnecessary administrative and regulatory requirements.

36        (3) Notwithstanding any other provision of law, the board,  
37 the department, a health care facility licensed under chapter  
38 395, or an insurer as defined in s. 624.03 may not require  
39 maintenance of certification or recertification as a condition  
40 of licensure, reimbursement, or admitting privileges for a  
41 physician who practices medicine and has achieved initial board  
42 certification in a specialty or subspecialty pursuant to this  
43 chapter.

44        (4) This section may not be construed to prohibit the  
45 board from requiring continuing medical education.

46        Section 2. Section 459.0056, Florida Statutes, is created  
47 to read:

48        459.0056 Conditions of licensure, reimbursement, or  
49 admitting privileges.-

50        (1) For purposes of this section, the term:

51        (a) "Osteopathic continuing certification" means a  
52 periodic testing regimen, proprietary self-assessment  
53 requirement, peer evaluation, or other requirement imposed by  
54 the osteopathic continuing certification program of the Bureau  
55 of Osteopathic Specialists of the American Osteopathic  
56 Association and its specialty boards, or by any recognizing  
57 agency approved by the board pursuant to rule for any board-  
58 certified specialty or subspecialty.

59        (b) "Recertification" means a subsequent recognition or  
60 certification of educational or scholarly achievement beyond  
61 initial board certification imposed by the Bureau of Osteopathic  
62 Specialists of the American Osteopathic Association and its  
63 specialty boards, or by any recognizing agency approved by the  
64 board pursuant to rule for any board-certified specialty or  
65 subspecialty.

66        (2) It is the intent of the Legislature to further improve  
67 the efficiency of the health care market and eliminate  
68 unnecessary administrative and regulatory requirements.

69        (3) Notwithstanding any other provision of law, the board,  
70 the department, a health care facility licensed under chapter  
71 395, or an insurer as defined in s. 624.03 may not require  
72 osteopathic continuing certification or recertification as a  
73 condition of licensure, reimbursement, or admitting privileges  
74 for an osteopathic physician who practices medicine and has  
75 achieved initial board certification in a specialty or

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76 | subspecialty pursuant to this chapter.

77 | (4) This section may not be construed to prohibit the  
78 | board from requiring continuing medical education.

79 | Section 3. This act shall take effect July 1, 2018.