

By Senator Cruz

18-01353-19

2019948\_\_

1                   A bill to be entitled  
2           An act relating to student loans and scholarship  
3           obligations of health care practitioners; amending s.  
4           456.072, F.S.; establishing that a health care  
5           practitioner's failure to repay a student loan or to  
6           comply with service scholarship obligations does not  
7           constitute grounds for disciplinary action; removing a  
8           civil fine; amending s. 456.0721, F.S.; removing the  
9           requirement that the Department of Health investigate  
10          and prosecute health care practitioners for failing to  
11          repay a student loan or to comply with scholarship  
12          service obligations; removing the requirement that the  
13          department include specified information related to  
14          such investigations and prosecutions in an annual  
15          report; providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19           Section 1. Paragraph (k) of subsection (1) of section  
20           456.072, Florida Statutes, is amended to read:

21           456.072 Grounds for discipline; penalties; enforcement.—

22           (1) The following acts shall constitute grounds for which  
23           the disciplinary actions specified in subsection (2) may be  
24           taken:

25           (k) Failing to perform any statutory or legal obligation  
26           placed upon a licensee. For purposes of this section, failing to  
27           repay a student loan issued or guaranteed by the state or the  
28           Federal Government in accordance with the terms of the loan or  
29           failing to comply with service scholarship obligations is not

18-01353-19

2019948\_\_

30 shall be considered a failure to perform a statutory or legal  
31 obligation, and the minimum disciplinary action imposed shall be  
32 a suspension of the license until new payment terms are agreed  
33 upon or the scholarship obligation is resumed, followed by  
34 probation for the duration of the student loan or remaining  
35 scholarship obligation period, and a fine equal to 10 percent of  
36 the defaulted loan amount. Fines collected shall be deposited  
37 into the Medical Quality Assurance Trust Fund.

38 Section 2. Section 456.0721, Florida Statutes, is amended  
39 to read:

40 ~~456.0721 Practitioners in default on student loan or~~  
41 ~~scholarship obligations; investigation; report. The Department~~  
42 ~~of Health shall obtain from the United States Department of~~  
43 ~~Health and Human Services information necessary to investigate~~  
44 ~~and prosecute health care practitioners for failing to repay a~~  
45 ~~student loan or comply with scholarship service obligations~~  
46 ~~pursuant to s. 456.072(1)(k). The department shall obtain from~~  
47 ~~the United States Department of Health and Human Services a list~~  
48 ~~of default health care practitioners each month, along with the~~  
49 ~~information necessary to investigate a complaint in accordance~~  
50 ~~with s. 456.073. The department may obtain evidence to support~~  
51 ~~the investigation and prosecution from any financial institution~~  
52 ~~or educational institution involved in providing the loan or~~  
53 ~~education to the practitioner. The department shall report to~~  
54 ~~the Legislature as part of the annual report required by s.~~  
55 ~~456.026, the number of practitioners in default, along with the~~  
56 ~~results of the department's investigations and prosecutions, and~~  
57 ~~the amount of fines collected from practitioners prosecuted for~~  
58 ~~violating s. 456.072(1)(k).~~

18-01353-19

2019948\_\_

59

Section 3. This act shall take effect July 1, 2019.