

Amendment No. 1

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WITHDRAWN	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>	

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Committee

3 Representative Massullo offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 456.0465, Florida Statutes, is created
8 to read:

9 456.0465 Health care practitioners; prohibited actions.-

10 (1) (a) A health care practitioner licensed by the
11 department may not use the name or title "family physician,"
12 emergency physician," "surgeon," "dentist," "medical doctor,"
13 "doctor of osteopathy," "doctor of dental medicine," "doctor of
14 dental surgery," "M.D.," "D.M.D.," "D.D.S.," "anesthesiologist,"
15 "cardiologist," "dermatologist," "endocrinologist,"
16 "endodontist," "gastroenterologist," "general practitioner,"

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17 "gynecologist," "hematologist," "hospitalist," "internist,"
18 "interventional pain medicine physician," "laryngologist,"
19 "nephrologist," "neurologist," "obstetrician," "oncologist,"
20 "ophthalmologist," "oral and maxillofacial surgeon,"
21 "orthodontist," "orthopedic surgeon," "orthopedist,"
22 "osteopath," "otologist," "otolaryngologist,"
23 "otorhinolaryngologist," "pathologist," "pediatrician,"
24 "physiatrist," "pedodontist," "periodontist," "podiatrist,"
25 "primary care physician," "proctologist," "prosthodontist,"
26 "psychiatrist," "radiologist," "rheumatologist," "rhinologist,"
27 or "urologist," or any other words, letters, abbreviations, or
28 insignia indicating or implying that he or she is licensed or
29 authorized by chapter 458, chapter 459, chapter 461, or chapter
30 466 to practice as such, unless he or she is licensed and
31 authorized by one of those chapters, or is registered with the
32 appropriate board as an allopathic, osteopathic, or podiatric
33 physician or dentist pursuant to s. 456.47(4), to practice as
34 such.

35 (b) If the department finds that any licensed health care
36 practitioner has violated paragraph (a), the department shall
37 issue a notice to the practitioner to cease and desist the use
38 of such name, title, words, letters, abbreviations, or insignia.
39 The department shall send the cease and desist notice to the
40 practitioner by certified mail and email to the practitioner's
41 physical address and email address of record with the department

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42 and to any other mailing address or email address through which
43 the department believes the person may be reached.

44 (c) If the practitioner does not cease and desist his or
45 her actions in violation of paragraph (a) immediately upon
46 receipt of the notice to cease and desist, the department shall
47 enter an order imposing one or more of the following penalties
48 until the practitioner complies with the notice to cease and
49 desist:

50 1. A citation and a daily fine.

51 2. A reprimand or a letter of concern.

52 3. Suspension of license.

53 (d) Notwithstanding paragraphs (a)-(c):

54 1. A doctor of chiropractic medicine licensed under
55 chapter 460, or a chiropractic physician registered with the
56 board of chiropractic medicine pursuant to s. 456.47(4), to
57 practice as such, may use the name or title "doctor of
58 chiropractic medicine" or "chiropractic physician."

59 2. A licensed chiropractic physician who has achieved
60 diplomate or fellow status from the American Board of
61 Chiropractic Specialties, American Chiropractic Board of Sports
62 Physicians, American College of Chiropractic Orthopedists,
63 American Chiropractic Neurology Board, International
64 Chiropractors Association, or International Chiropractic
65 Pediatric Association, or in a specific specialty or
66 subspecialty, may use, as appropriate for his or her diplomate

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67 or fellow status, "chiropractic radiologist," "chiropractic
68 internist," "chiropractic neurologist," "chiropractic
69 orthopedist," or "chiropractic pediatrician," in addition to
70 other names or titles associated with such diplomate or fellow
71 status.

72 3. A licensed dentist who has achieved diplomate status or
73 board certification from the American Board of Dental Public
74 Health, the American Board of Endodontics, the American Board of
75 Oral and Maxillofacial Pathology, the American Board of Oral and
76 Maxillofacial Radiology, the American Board of Oral and
77 Maxillofacial Surgery, the American Board of Orthodontics, the
78 American Board of Pediatric Dentistry, the American Board of
79 Periodontology, the American Board of Prosthodontics, the
80 American Board of Oral Implantology/Implant Dentistry, the
81 American Board of Oral Medicine, the American Board of Orofacial
82 Pain, the American Dental Board of Anesthesiology, or the
83 American Board of General Dentistry, in a specific specialty or
84 subspecialty, may use, as appropriate for his or her diplomate
85 status or board certification, the name or term "dental
86 anesthesiologist," "doctor of oral medicine," "dental oral and
87 maxillofacial radiologist," "dental orthodontic and dentofacial
88 orthopedist," or "dental oral and maxillofacial pathologist," in
89 addition to other names or titles associated with such diplomate
90 status or board certification.

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91 (2) The department may adopt rules to implement this
92 section.

93 Section 2. This act shall take effect upon becoming a law.

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96 **T I T L E A M E N D M E N T**

97 Remove everything before the enacting clause and insert:
98 An act relating to prohibited acts by health care practitioners;
99 creating s. 456.0465, F.S.; specifying names and titles that
100 licensed health care practitioners are prohibited from using
101 under certain circumstances; requiring the Department of Health
102 to a notice to cease and desist for specified violations;
103 providing exceptions; providing for service of the notice;
104 providing penalties; authorizing the department to adopt rules;
105 providing an effective date.