



215354

LEGISLATIVE ACTION

Senate

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House

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The Committee on Health Policy (Harrell) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 12 - 37

and insert:

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

456.0465 Health care practitioners; prohibited actions.-

(1) (a) A health care practitioner licensed by the department may not use the name or title "physician," "surgeon," "dentist," "medical doctor," "doctor of osteopathy," "doctor of



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

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



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40 address through which the department believes the person may be  
41 reached.

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

- 48 1. A citation and a daily fine.
- 49 2. A reprimand or a letter of concern.
- 50 3. Suspension of license.

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

52 1. A doctor of chiropractic medicine licensed under chapter  
53 460, or a chiropractic physician registered with the board of  
54 chiropractic medicine pursuant to s. 456.47(4), to practice as  
55 such, may use the name or title "doctor of chiropractic  
56 medicine" or "chiropractic physician."

57 2. A licensed chiropractic physician who has achieved  
58 diplomate or fellow status from the American Board of  
59 Chiropractic Specialties, American Chiropractic Board of Sports  
60 Physicians, American College of Chiropractic Orthopedists,  
61 American Chiropractic Neurology Board, International  
62 Chiropractors Association, or International Chiropractic  
63 Pediatric Association, or in a specific specialty or  
64 subspecialty, may use, as appropriate for his or her diplomate  
65 or fellow status, "chiropractic radiologist," "chiropractic  
66 internist," "chiropractic neurologist," "chiropractic  
67 orthopedist," or "chiropractic pediatrician," in addition to  
68 other names or titles associated with such diplomate or fellow



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69 status.

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

89 (2) The department may adopt rules to implement this  
90 section.

91  
92 ===== T I T L E A M E N D M E N T =====

93 And the title is amended as follows:

94 Delete lines 3 - 7

95 and insert:

96 practitioners; creating s. 456.0465, F.S.; specifying  
97 names and titles that licensed health care



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98 practitioners are prohibited from using under certain  
99 circumstances; requiring the Department of Health to  
100 issue an emergency cease and desist order for  
101 specified violations; providing exceptions; providing  
102 for service of the order; providing penalties;  
103 authorizing the department to adopt rules; providing  
104 an