

1 A bill to be entitled
 2 An act relating to foreign-licensed physicians;
 3 amending s. 458.311, F.S.; providing an alternative to
 4 approved residency requirement for foreign-trained
 5 physicians; conforming a cross-reference; amending s.
 6 458.313, 458.316, 458.3165, F.S.; conforming cross-
 7 references; providing an effective date.

8

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

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11 Section 1. Subsections (3) through (8) of section 458.311,
 12 Florida Statutes, are renumbered as subsections (4) through (9),
 13 respectively, present subsection (5) is amended, and a new
 14 subsection (3) is added to that section, to read:

15 458.311 Licensure by examination; requirements; fees.—

16 (3) Notwithstanding the provisions of sub-subparagraph
 17 (1)(f)2.c. and (1)(f)3.c., a graduate of a foreign medical
 18 school is not required to complete an approved residency if he
 19 or she:

20 (a) Holds an active, unencumbered license to practice
 21 medicine in a foreign country.

22 (b) Has actively practiced medicine in the 4 years
 23 preceding the date of the submission of the application.

24 (c) Has completed a residency or substantially similar
 25 postgraduate medical training in a country recognized by his or

26 | her licensing jurisdiction or has practiced medicine in his or
 27 | her licensing jurisdiction for at least 5 years.

28 | (d) Has an offer for employment as a physician for a
 29 | health care provider that operates in the state.

30 | (6)-(5) The board may not certify to the department for
 31 | licensure any applicant who is under investigation in another
 32 | jurisdiction for an offense which would constitute a violation
 33 | of this chapter until such investigation is completed. Upon
 34 | completion of the investigation, the provisions of s. 458.331
 35 | shall apply. Furthermore, the department may not issue an
 36 | unrestricted license to any individual who has committed any act
 37 | or offense in any jurisdiction which would constitute the basis
 38 | for disciplining a physician pursuant to s. 458.331. When the
 39 | board finds that an individual has committed an act or offense
 40 | in any jurisdiction which would constitute the basis for
 41 | disciplining a physician pursuant to s. 458.331, then the board
 42 | may enter an order imposing one or more of the terms set forth
 43 | in subsection (9) ~~(8)~~.

44 | Section 2. Paragraph (a) of subsection (1) of section
 45 | 458.313, Florida Statutes, is amended to read:

46 | 458.313 Licensure by endorsement; requirements; fees.—

47 | (1) The department shall issue a license by endorsement to
 48 | any applicant who, upon applying to the department on forms
 49 | furnished by the department and remitting a fee set by the board
 50 | not to exceed \$500, the board certifies:

51 (a) Has met the qualifications for licensure in s.
 52 458.311(1)(b)-(g) or in s. 458.311(1)(b)-(e) and (g) and (4)
 53 ~~(3)~~;

54 Section 3. Subsection (1) of section 458.316, Florida
 55 Statutes, is amended to read:

56 458.316 Public health certificate.—

57 (1) Any person desiring to obtain a public health
 58 certificate shall submit an application fee not to exceed \$300
 59 and shall demonstrate to the board that he or she is a graduate
 60 of an accredited medical school and holds a master of public
 61 health degree or is board eligible or certified in public health
 62 or preventive medicine, or is licensed to practice medicine
 63 without restriction in another jurisdiction in the United States
 64 and holds a master of public health degree or is board eligible
 65 or certified in public health or preventive medicine, and shall
 66 meet the requirements in s. 458.311(1)(a)-(g) and (6) ~~(5)~~.

67 Section 4. Section 458.3165, Florida Statutes, is amended
 68 to read:

69 458.3165 Public psychiatry certificate.—The board shall
 70 issue a public psychiatry certificate to an individual who
 71 remits an application fee not to exceed \$300, as set by the
 72 board, who is a board-certified psychiatrist, who is licensed to
 73 practice medicine without restriction in another state, and who
 74 meets the requirements in s. 458.311(1)(a)-(g) and (6) ~~(5)~~. A
 75 recipient of a public psychiatry certificate may use the

76 | certificate to work at any public mental health facility or
77 | program funded in part or entirely by state funds.

78 | (1) Such certificate shall:

79 | (a) Authorize the holder to practice only in a public
80 | mental health facility or program funded in part or entirely by
81 | state funds.

82 | (b) Be issued and renewable biennially if the State
83 | Surgeon General and the chair of the department of psychiatry at
84 | one of the public medical schools or the chair of the department
85 | of psychiatry at the accredited medical school at the University
86 | of Miami recommend in writing that the certificate be issued or
87 | renewed.

88 | (c) Automatically expire if the holder's relationship with
89 | a public mental health facility or program expires.

90 | (d) Not be issued to a person who has been adjudged
91 | unqualified or guilty of any of the prohibited acts in this
92 | chapter.

93 | (2) The board may take disciplinary action against a
94 | certificateholder for noncompliance with any part of this
95 | section or for any reason for which a regular licensee may be
96 | subject to discipline.

97 | Section 5. This act shall take effect July 1, 2023.